



Kings Deer Board of Directors Minutes

November 15, 2007

Members Present: Allen Alchian (President), Dan Rivers (Vice-President), Mike Abplanalp (Secretary & Common Area Maintenance), Penny Dyer (Treasurer), Rich Paul (Architectural Control Committee), Dick Robertson (Water Conservation), Marshall Boss (Covenants)

Guests Present: Steve & Diane Boggs, Corinne Solano, Michael and Wendy Henderson, Mike Davidson (Tribune)

Alchian called the meeting to order at 3:45 pm.

I. Adopt meeting agenda

- A. Alchian requested the following additional items be added:
 - 1. Treasurer #3 2008 annual assessment status, deadline and delinquencies policies
 - 2. Treasurer #4 End of Year projection
 - 3. New Business A. Event dates for 2008
 - 4. New Business B. Water delinquency policy
 - 5. New Business C. Confirm December 2007 board meeting date.
- B. Agenda approved unanimously with additions.

II Approve October 18, 2007 Board minutes. Robertson moved to approve. Dyer seconded. Minutes approved with Paul abstaining.

III. Appointment and Conflict of Interest Statement.

- A. Appointments.
 - 1. Robertson moved to appoint Alchian as President; Rivers seconded. Approved with Alchian abstaining.
 - 2. Robertson moved to appoint Rivers as Vice President; Abplanalp seconded. Approved with Rivers abstaining.
 - 3. Boss moved to appoint Abplanalp as Secretary; Robertson seconded. Approved with Abplanalp abstaining.
 - 4. Paul moved to appoint Dyer as Treasurer; Rivers seconded. Approved with Dyer abstaining.
 - 5. Abplanalp moved to appoint Paul as Chair of the Architectural Control Committee; Dyer seconded. Approved with Paul abstaining.
 - 6. Dyer moved to appoint Boss as Covenant Enforcement director; Robertson seconded. Approved with Boss abstaining.
 - 7. Rivers moved to appoint Abplanalp as Common Area Maintenance director; Boss seconded. Approved with Abplanalp abstaining.
 - 8. Abplanalp moved to appoint Robertson as water conservation director; Paul seconded. Approved with Robertson abstaining.
- B. Alchian requested that all the board members sign the Conflict of Interest statements which were distributed to directors. All signed.

IV. Guests presentation

- A. Steve Boggs** expressed his opinion and displeasure on topics ranging from the handling of the issue of the Association's legality to the public condemnation of the previous treasurer, as well as the process the Board used to fill the board vacancy created by the previous treasurer's resignation. Additionally, he expressed his views concerning the Association's records not being consistent with the Tax Assessor's records and offered a recommendation that the Board should communicate to the community through one or more meetings prior to trying to amend corporate documents to fix the problems created by the improper merger of the two former homeowner associations.
- B. Michael Henderson** (not a King's Deer property owner), of Remax Real Estate, informed the Board that he caught a King's Deer resident removing his real estate signs. The reason for bringing this to the attention of the Board is because the individual said this was what the Board wanted done, and he wanted to be sure the Board was aware that the Board has been implicated in this action.
1. Alchian acknowledged that in the early summer of 2006 the Board did, at that time, take an action to remove unauthorized signs from around King's Deer, however that was a one time event. Not since that time has the Board taken any action or issued any directive to remove realtor signs. And if it would be authorized, it would not be in a way that the realtor could not retrieve their property.
 2. Paul stated that a previous board had adopted a position of only allowing directional signage during open houses. Additionally, that board directed the Executive Director to remove any directional signage not associated with an active open house and contact the offending Realtors to pick up their signs at the Association Office. Henderson acknowledged that such action had happened to them in the past, and in that circumstance they did retrieve their signage from the Association.
 3. Robertson suggested that we should also take advantage of our web site for similar communications.
 4. Alchian closed by noting the paradox of the very restrictive sign policy in the covenants: limiting signs to the property for sale helps prevent an unsightly appearance of the community, however it is in the interest of property owners to be able to have advertising exposure to increase the sale potential of their property.

V. Officer Reports

A. Vice President.

1. **Governing Documents.** Rivers reported that HOA attorney, Jack Scheuerman, is working on the final determination of what specific sections of the corporate documents he recommends for revision. Presently, no changes to either of the two covenants are expected. Boss said he prefers to have the vote by mail and that we should adopt Boggs' idea to have a community meeting prior to the vote to explain details to the membership. Paul agreed. Rivers would like to see what the changes are first and decide later.

B. Secretary

1. Policies and Procedures.

- a. Abplanalp asked for the status of developing a King's Deer Policy book. Robertson stated that while secretary he received nothing from the directors. Both Robertson and Abplanalp emphasized that this was an initiative that depended on the support of every director.
- b. **Record Review Policy draft.** Alchian suggested the revised policy be posted on the web site for all owners to review and comment on before the Board approves it as final. Boss suggested it be sent to Scheuerman for review prior to the board adopting the policy. The Board agreed with both of these suggestions.

2. **Newsletter.** Abplanalp asked if the Board wanted to send the next newsletter by mail, or only electronically. Alchian noted that only about 63 of 434 owners have opted for the electronic-only version, and suggested that communicating with the membership should be a high priority for the Board. The directors agreed to publish the next newsletter in late January, 2008, and to send it by mail to members who have not opted to receive an email of its availability for download from the web site.

C. Treasurer

1. **October Financial Report.** Alchian reported a follow-up to a question posed by member John Witsken during the Nov. 13, 2007 Annual Meeting. Mr. Witsken asked about the projected year end financial position of the Association. Referring to the October 31, 2007 Balance Sheet, Alchian reported that the Prepaid Owner Assessments (\$26,550) would be the primary funding available to manage the Association's financial obligations during the final two months of the year. However, if additional funds were needed for extraordinary and unbudgeted expenditures, such as legal fees, then our Retained Earnings (\$54,430) would be available to supplement the Prepaid Owner Assessments, Alchian estimated that we would have to pay some unbudgeted legal expenses in November and December—particularly legal expenses—and therefore he projected the Retained Earnings would likely drop a few thousand dollars by year's end.
2. **2008 Annual Assessments.** Dyer moved to approve a \$300 assessment for the year 2008; Robertson seconded. Approved unanimously. Dyer will develop a proposed policy on delinquent and late assessments, and circulate it by email for recommendations/approval by the Board members prior to the assessments being mailed to the membership.

VI. Directors Reports

A. Common Area Maintenance.

1. Dyer notified Abplanalp that we may need of a spotlight fixture on the west side of Roller Coaster and Hwy 105. The irrigation lines have been blown out and the pond pump is off; the system is winterized.
2. Abplanalp asked about our liability regarding use and injuries at the multi-use field. Alchian agreed to arrange a meeting of himself and Abplanalp with our insurance agent.

3. Robertson will research placement of boulders next to light poles and/or moving the light poles to prevent damage. Alchian raised the question of relocating the street lights away from the edge of the road as an alternative way to protect them from vehicle damage. All agreed not place boulders around the light poles until more information is available regarding alternative ways to protect the poles.

B. Covenant enforcement.

1. **Covenant Violation Report.** The report reflects there are no unresolved covenant violations, however further discussion revealed that some issues such as water reporting and unpaid assessments are not included in the report. The directors agreed that next month's report should include *all* unresolved violations, of all types.
2. **Covenant Violation Enforcement Policy.** Boss agreed to update the draft policy before the end of November based on Scheuerman's recommendations.
3. **Water Meter Reading Delinquencies.** The first delinquency notice is prepared and will be sent to those who have not submitted their meter readings as of November 5th. The report to the State will be prepared based on readings received by close of business, November 30, 2007. Those who still have not reported by that date will receive a second delinquency letter, sent by certified mail with return receipt; it will inform the recipient of a deadline of December 18, 2007 to submit their reading or face a hearing on December 20, 2007 with the possibility of penalties being imposed by the Board. Also, the report to the State will identify each property and owner that is delinquent in their obligation to report their water meter reading. Board members agreed that December 20, 2007 was a viable date for the hearing on delinquent water reports.
4. **Church Traffic.** Boss reported that the homeowner at 20432 Hunting Downs is concerned about the frequency of traffic traveling to the Tri-Lakes United Methodist Church. The owner asked if traffic can be limited in the evenings and stated that the owner will be investigating options.

C. Architectural Control Committee

1. **ACC Report.** Paul reported that there are 50 active projects. Twelve new home construction projects were approved in 2007, and 1 new home construction project approval has been rescinded this year. One landscape project and one detached garage has been approved since the last report to the Board. No projects are awaiting ACC approval.
2. **Design Standards Revision.** Paul asked the status of the revised Design Standards that was submitted to the Board by the ACC. Robertson said that it was tabled. Paul requested it be un-tabled for the next meeting.
3. **ACC Schedule.** Paul stated the ACC is in its year-end schedule meaning there will be only one ACC meeting this month (November) and one meeting in December. Two meetings a month will resume in January 2008.
4. **ACC Member Appointments.** Paul moved that the following ACC members be reaffirmed as ACC members for 2008: Allen Alchian, Mike Abplanalp, Rich Paul, Dennis

Delhousay, Paul Thompson, Tom Haddon, Andy Waclawski, George Panoncillo, Bart Atkinson. Rivers seconded. Approved with Alchian and Abplanalp abstaining.

5. Paul identified Dennis Delhousay, ACC member, for his invaluable contribution to the ACC in 2007. Delhousay's extensive work includes not only reviewing projects at ACC meetings, he also spends many extra hours in the field reviewing projects as an ACC project monitor to ensure they are being accomplished in accordance with the approved plans. Without Delhousay's extra effort, the Association would not have the very effective project monitoring program that is currently in place unless we paid someone to do the job. Delhousay is saving the Association thousands of dollars in professional fees. Therefore, Paul moved for the Board to recognize and commend Dennis Delhousay for his invaluable contributions to the ACC and the Association throughout 2007. Seconded and approved unanimously.

V. New Business

- A. Council of Neighbors and Organizations.** Robertson thanked Diane Boggs for recommending CONO to monitor our annual meeting. Robertson moved to have King's Deer Highlands Homeowners Association become a member of CONO for one year; the cost is \$35/year. Robertson agreed to be the primary representative to CONO and Alchian agreed to be the alternate. Paul seconded. Approved unanimously.
- B. Water Conservation Committee.** Robertson recommended re-appointment of Tony Winslow (chair), Jan Sievert, Diane Boggs, and Dick Robertson for 2008. Boss seconded motion. Approved with Robertson abstaining.
- C. Budget Committee.** Robertson moved to approve the following people for membership on the Budget Committee for 2008: Bob Sievert (chair), Penny Dyer and Dick Robertson. Boss seconded. Approved with Robertson and Dyer abstaining.. Paul suggested that the Board host two community budget meetings in 2008: one in September and one in October.
- D. Covenant enforcement Oversight Committee.** Abplanalp moved to approve the following members to the Budget Enforcement Oversight Committee for 2008: Dixie Schull, Cindy Fenton, Jim Hazuka (chair), Penny Dyer, Marshall Boss. Abplanalp moved to approve. Paul seconded. Approved with Dyer and Boss abstaining.
- E. Event dates for 2008.**
 1. The following key dates were approved by the Board.
 - a. Mowing deadline: June 24, 2008,
 - b. 2008 Annual Meeting: Tuesday, November 4, 2008. *[Note: this was later discovered to be the day of the national elections, so a different date will be selected.]*
 - c. Board: third Tuesday of each month at 5 PM.
 2. The date for the annual garage sale was discussed. Some directors suggested having two dates. Alchian requested Boss to check the covenants to see if we can allow for two garage sales in a year, and report back at the next Board meeting..
- F. Mailboxes.** Robertson requested an update on the status of ordering mailboxes and to confirm the surcharge going to be \$75.00 over cost Dyer confirmed.

G. 2008 Nominating Committee. Boss moved to approve Dick Robertson, Ed Vandenhurst and Tom Haddan to the nominating committee. Paul seconded. Approved with Robertson abstaining.

Rivers moved to adjourn at 6:16 PM. Abplanalp seconded. Motion carried unanimously.

Attachments

1. ACC Report

Minutes approved December 10, 2007

/ signed /

president

/ signed /

secretary