



Board of Directors Minutes

Wednesday, February 19, 2014

Members Present: John Highhouse (President), Rich Paul (VP, ACC), Allen Alchian (Water and Secretary), Penny Dyer (Common Areas, Asst. Treasurer), Jason Aguilar (NW)

Members Absent: Dave Compton (CEOC, NEPCO)

Guests Present: Ron Hartmann (20171 Sedgemere)

Meeting brought to order at 5:03 PM and immediately proceeded to a hearing. The hearing ended at 5:07 and the board meeting then resumed.

I. Guest Presentation. Mr. Hartmann presented information on the process of foreclosures (Golf Course) and his views of the recent golf course closure. The Board agreed to pass the information he presented on to a group that is interested in opening the golf course.

II. Record of Previous Board Action

January Board Minutes On an email motion by Paul, the directors unanimously approved by email the January 15, 2014 Board minutes on January 23, 2014.

III. Officers' Report

A. President

1. Golf Course Closure.

- a. Tuesday evening, February 18, 2014, Exchange Bank, in Kearney NE, which holds the note on the golf course, hosted meeting at Tri-Lakes United Methodist Church. The meeting was open to the public and attended by many King's Deer HOA members, King's Deer Golf Course members, and the media. Approximately 200 people were present. John Nootz, president of Exchange Bank in Kearney, explained the reason for closing the course and then spent about 45 minutes answering audience questions. At the end of the meeting John Highhouse announced that the King's Deer Board of Directors will host a community meeting in about two weeks to allow interested parties to discuss possible means to re-open the golf course.
- b. A new email address—golf@kingsdeer.org—has been created from which notices from the HOA can be sent to anyone, including non-HOA members, who would like to receive any updates on the situation as they become known to the King's Deer Board of Directors. Approximately 100 email addresses were collected from the February 18, 2014 meeting.
- c. At that same meeting, Kings' Deer resident David Compton announced that anyone interested in forming a group to investigate possible solutions to opening the golf course to contact him by email at dcompton24@gmail.com.
- d. Mr. Nootz told Highhouse and Paul that the bank prefers for the HOA office to remain open and active in its current location at the golf course club house, to provide an additional level of security to the facility.

2. Legal Update.

- a. The foreclosure sale date of 19220 Sixpenny Lane has been changed to March 19, 2014.
- b. HOA attorney Jack Scheuerman confirmed that the provision of the King's Deer covenants paragraph 9D, which cap the annual assessment at \$300 per year, does not include the amounts the HOA must pay for insurance premiums. The Board agreed to defer any decision on the 2015 annual assessment until summer when the 2015 budget is created and more is known of the costs incurred during 2014.

B. Vice President – No report

C. Secretary

1. The King's Deer newsletter has been mailed and distributed by email.
2. Legislative Issues
 - a. Legislation to cap property transfer fees. The HOA sent an email to the office of Representative Jeanne Labuda who is the bill's sponsor. The bill proposed cap at \$50 the Property Transfer Fee an HOA may collect. The HOA opposed the legislation in its current form in light of the amount of resources and travel expense the HOA must incur to supply the Title Company the necessary information it requires to complete the transaction. The Community Association Institute's local chapter reports Representative Labuda has changed course and is no longer seeking to cap the transfer fees.
 - b. Senate Bill 14-140 prohibits the exercise of lien rights by HOAs unless they comply with all of the provisions of the Colorado Common Interest Ownership Act. The Board declined to take any action regarding the legislation at this time.
 - c. Revised Billing and Collection Policy. Paul moved to approve revision. Alchian noted the revisions are limited to ensure compliance with legislation passed in 2013 that requires the HOA to provide delinquent owners a one-time opportunity to accept a payment plan to eliminate their delinquency before the HOA may enlist the services of an attorney or collection agency to recover the debt. Motion seconded and approved unanimously.

D. Treasurer

1. Financial Report. Paul moved to approve the January financials; motion seconded and approved unanimously. (Report attached)
2. Delinquent Member Accounts. The Board agreed by consensus to notify a member by letter that a lien will be filed against the property for non-payment of past fines and the 2014 Annual Assessment.

IV. Directors' Reports

A. Common Areas

1. Dyer has had several conversations with Mark Hassell (the former King's Deer Golf Course greens supervisor) and he is interested in doing the general maintenance for KD as an independent contractor. The Board noted that contractors need to be insured.

B. Covenant Enforcement Oversight Committee

1. Alchian summarized both the January and February CEOC activity, including a summary of the covenant enforcement for all of 2013. (Report attached)
2. Member Resignation. Alchian reported that Cindy Fenton tendered her resignation from the committee due to conflicting obligations. Alchian also noted Fenton has offered to serve the HOA in other ways as her time permits, and he recommended acceptance of the resignation. Paul moved to accept the resignation; motion seconded and approved unanimously.
3. Appointment of Committee Chair. Paul moved to appoint CEOC member Grace Highhouse to the CEOC Chair and Alchian as the Committee's Board Liaison. Alchian noted Highhouse has expressed her willingness to chair the committee. Motion seconded and approved unanimously.

C. Architectural Control Committee

1. Paul reported that there are currently 121 active projects being monitored. One new construction project has been submitted and one new landscaping project has been approved in 2014. (Report attached)

D. NEPCO

1. Aquilar announced the next general membership meeting will be 10 AM Saturday, March 8 at the Monument Town Hall; the program will be about the HOA Information Office and the speaker will be Mr. Gary Kujawski who is the Colorado HOA Information Officer.

E. Neighborhood Watch

1. Aguilar stated that there was a home burglarized in KD; the Sheriff's office has been notified.

F. Water

1. The agreement between King's Deer HOA and Woodmoor Water and Sanitation District was finalized in January. WWSD is now performing annual augmentation on behalf of King's Deer HOA to ensure compliance with the terms of our 93 Decree. They dumped 0.0901 acre-feet into Dirty Woman Creek in January. The next task is for our water attorney to provide notifications to the Water Court of this change in our augmentation procedures; that process will commence in the next week or two.
2. Only one property owner remains delinquent on the 2013 annual water meter report, and this owner has been delinquent for several years in both meter readings and all payments. This will be the last report on the results of the 2013 water meter readings.

G. Remote Reading Water Meters

1. Aguilar reported another series of reception tests were conducted this month in King's Deer. The results were improved. The company will further develop the product.

H. Information Technology

1. Aguilar researched Quickbooks software and our existing Internet connection. He found that the version of Quickbooks we can afford will not work well using a virtual private network and therefore recommended not changes to our software subscription at this time. He will continue to investigate establishing our own server for the future.

I. Executive Director

1. There are no closures of the office anticipated within the next 60 days.
2. One property changed owner since the last board meeting

V. Hearing

- A. 850 Lancers Court (Lot 14 Classic filing 5) – Utility Trailer On Property. The Board agreed to close the violation with no further action due to the very limited number of violations, but noted if the violations resume, another hearing is to be scheduled so the Board can reconsider measures to help the owner and renter comply with the covenants.

Paul moved to adjourn at 7:34 PM. Motion seconded and approved unanimously.

Minutes approved unanimously by the Board on March 19, 2014

/ signed /

John Highhouse, President

/ signed /

Allen Alchian, Secretary

Attached:

1. Financial Report
2. CEOC Report
3. ACC Report