



**Board of Directors Minutes
December 7, 2017
5:30PM King's Deer Golf Course Clubhouse**

Members Present: Dan Rivers (President), James Hazuka (Secretary), Steve Shurgot (by phone) (VP & Treasurer), Lorrie Kresge (Water), Randy Wood (Common Areas), Ken Harris (Neighborhood Watch)

Members Absent: Dan Snelling (ACC),

Guests: Allen Alchian (Consultant), Mark Lunsford (ACC Chairman), Kevin Milyard (1335 Chapel Royal Court)

Meeting brought to order at 5:30PM

Officer Reports

- **President**
 - Tree Plantings Blocking View of Resident – The resident who filed the complaint was not present. Their concerns were of a neighbor who planted trees that in the future might block their view of the mountains. The resident who planted the trees was present. He argued that he engaged with the complainant prior to planting the trees and they did not object at the time. Pictures of contentious trees were presented. Rivers suggested to the Board members that they take no action as the HOA has never guaranteed views to any owner. If the complainant wishes to present their side of this issue, the Board is open to that. The rest of the Board agreed. The Executive Director will respond to complainant.
- **Vice President**
 - Lighting Working Group – 6 Kings Deer residents met and discussed different ideas about exterior lighting. There was recognition by the group that the current HOA management of exterior lighting is reasonable. The group also understands that creating a lighting policy for Kings Deer where there is none, can create more problems than it resolves so we need to be careful. That being said, action items agreed to by the group were as follows: 1) Draft an initial HOA lighting policy that provides guidelines for outdoor lighting, 2) expands upon the language in the covenants, providing more clarity on what nuisance lighting is, 3) outlines a process to validate possible violations that is not subjective, and 4) align ACC efforts to ensure possible outdoor lighting problems are addressed in the construction phase. An initial draft has been sent out to working group members for their input. The group hopes to have a draft for the Board to review in January.

- **Secretary**
 - Approval of November Board Minutes - Hazuka stated minutes were unanimously approved by email.
- **Treasurer**
 - Financials - Report is not available given the early date of the Board. The financials will be sent out and approved by email.
- **Committee Reports**
 - **Common Areas – Randy Wood stated**
 - Pond Power Line – Repaired. Fountain will be operational in 2018
 - New Maintenance Contract(s) – leaning towards getting multiple bids for different common area work. Believe this will be the best approach to improve the conditions of common areas throughout Kings Deer.
 - Redstone Contract work – There is some outstanding work to be done which Redstone has already received payment. Wood has talked to Mr. Benson (owner) and discussed these outstanding commitments and the timeline associated with their completion.
 - Monuments/Playground Cleanup Quote – Wood has received a quote to clean up and replace mulch at the Monuments; nothing yet within the playground area. Some playground equipment is in disrepair and needs to be either replaced and/or fixed.
 - Trail Repair by Builders – To ensure the trail damage associated with several construction efforts get fixed, Wood asked if the ACC coordinate with him prior to releasing the construction withhold back to the owner/construction company.
 - Golf Course Meeting Regarding Golfers Trespassing on Private Property – The HOA has received several complaints over the last several months regarding golfers driving their carts and hitting balls on private property. Golfers seem to be ignoring out of bounds markers. Kresge and Wood met with the management of the Golf Club. The Golf Club would prefer to handle these situations but must be made aware of them as soon as it happens. There was discussion about changing the existing signage policy to allow residents who live on the Golf Course to use more than one sign along the boundary of their properties to warn golfers of their property line. The Board did view an example of a sign used by Mark Lunsford and was amenable to changing the signage policy but no decision was made.
 - **Architectural Control Committee**
 - ACC Status Report – Lunsford stated that the ACC approved two snow fences and a pergola. There is one new construction which had some issues and the property owner met with members on construction plans/design standards to discuss the matter. There was also a discussion about new home square footage

requirements on a single level home construction. 15 new home construction efforts ongoing.

- Proposed Quiet Hours for Construction Activities – Hazuka reminded the Board that Kings Deer residents Mr. and Mrs. Bastin have requested consideration on a policy regarding quiet hours. During the Annual HOA meeting in November 2017, Mr. Bastin cited numerous instances where home construction activities at the early morning hours have caused a noise nuisance for him and his family. Mr. Bastin proposed quiet hours (7PM through 7AM daily) to address the construction noise problem. Hazuka proposed that the Board support this position citing that the proposal was consistent with the HOA covenants which state “No activity shall be permitted which will generate a noise level sufficient to interfere with the reasonable quiet enjoyment of the persons on any adjoining or nearby lots.” As such, Hazuka made a motion to establish quiet hours for construction activities in the community between 7PM through 7AM. There was no second offered to the motion, thus it died.
- **Covenant Enforcement and Oversight Committee**
 - No report
- **Water**
 - Status of State Water Report – Kresge reported that the report was almost complete. She planned to file the report the following week. There are only 2 properties that have not submitted their water meter readings and thus will be fined according to the Board’s decision during the November Board meeting.
- **Water Resource Committee**
 - Future water augmentation continues to be the largest obstacle to obtain more water rights for the community. Rivers and Alchian met with the HOA water attorney and discussed various augmentation policies with a long-term solution. Woodmoor Water and Sanitation is currently providing augmentation for the 93 decree (primarily Classic). Given the location of homes serviced by the 94 decree (primarily Highlands), there may be another viable solution involving a separate water augmentation company when the time comes. Next step is to meet with a consultant to further develop the HOA augmentation solutions. The original developers and owners of the water rights have stated that they will not go forward to Water Court until they have a viable augmentation plan in place.

Executive Director

- Office closings – 25 Dec thru 1 Jan

- **Executive Session start 6:28PM**
 - 19647 Guildford Court - ACC Concrete Driveway Determination
The Board of Directors discussed the case. Following the executive session, Wood moved to demand the Parrs to restore their driveway at 19647 Guildford Court to the size outlined in the original approved plans. Shurgot seconded the motion. The votes for the motion were as follows: Wood, Shurgot, and Rivers voting yes, Hazuka and Harris voting no, and Kresge abstaining. Thus the motion failed as it didn't receive the majority votes of Directors at the meeting.
 - Event Involving Dogs and a Weapon Discharge on the Corner of Archers and Kings Deer Point
The Board of Directors discussed the case. Following the executive session, the Board asked the Executive Director to obtain the relevant police reports, after which it may consider the case.
 - Action Regarding Outdoor Lighting
Following the executive session, the Board decided to request a legal review by our HOA lawyer. The legal assessment will focus on the covenants, past position of the HOA, and threats by a Kings Deer resident to pursue legal action against the HOA. The Board will review the lawyer's recommendations before further discussion.

Executive Session adjourned at 7:30PM

Meeting adjourned at 7:34PM.

/ signed /

Daniel Rivers, President King's Deer HOA

/ signed /

James Hazuka, Secretary King's Deer HOA

Attach:

1. Draft – Lighting Guidelines
2. 2017 Water Report – draft
3. Site map of 19055 Archers Drive
4. Summary of the Dog/Weapon Discharge event