

**Kings Deer HOA Annual Meeting November 18, 2003 7:00pm**

The 2003 Kings Deer Annual meeting began at 7:05 PM.

1. Bob Bimm welcomed all of the neighbors and introduced himself as the meeting chair.
2. Dan Rivers presented Marty Kinnaird with a plaque of appreciation.
3. Bob presented the agenda:
  - a) Merger Results
    - i) Lenard Rieth
    - ii) Marty Kinnaird
    - iii) Bob Bimm
  - b) Neighborhood Watch – Glen Scott
  - c) HOA Pres. Reports
    - i) Marty
    - ii) Bob
  - d) Developers Report – Dan Potter
  - e) HOA Financial Reports
    - i) Marty Kinnaird
    - ii) David Hamilton-Smith
  - f) Election of new board members
  - g) Open Discussion
4. Lenard Rieth: Discussed the steps of merging the two HOAs. First the association must be merged at the corporate level, and then covenants must be addressed. What is currently known as Highlands will be the surviving corporation. The board will now consist of seven members: 3 from former Classic, 3 from former Highlands and 1 "in general".

In order for the current associations to merge, a quorum is required (30%) and a majority of the quorum must vote to merge the corporations. Based on the information that Lenard was given from the ballots, the associations have merged.

In order for the covenants to merge a 2/3 vote for must be accomplished or 100 of the 150 possible votes. We may need to vote again if the required 100 votes were not accomplished. Lenard acknowledged that members of the Classic board were disputing a number of the votes that were acquired. What Lenard recommended was to simply merge the associations on the corporate level, elect the new board and let the new board handle the covenants.

Homeowner: What happens to the dues?

Lenard Rieth: That will be left up the new board to decide.

Homeowner: What is the time frame for operating the new association.

Lenard Rieth: The process will start immediately.

5. Marty Kinnaird: Merger has been in the works for nearly two years. Felt that the Corporation will be merged and the new board will tackle the covenants next.

Homeowner: What new members will be voted in as new board?  
Bob Bimm: One new member from Highlands, and one in general.
6. Bob Bimm: Based on the ballots, congratulations to all and welcome to the new Kings Deer.
7. Glenn Scott: Glenn discussed the ongoing initiative for neighborhood watch block captains. A map was displayed showing the organization of the blocks. Need 15 block captains. He urged neighbors

to please be diligent and observant of neighbors' property. He thanked Dixie Schull for helping organize blocks and block captains.

Homeowner: Relayed recent story of an intruder stepping into the house. The MO is to run into the house and grab jewelry left at the kitchen sink.

8. Marty Kimbaird: Marty gave Classic Pres. Report. Not much building occurring in the Classic area. Two new plans were approved, five garages, and six landscape plans. Marty reminded homeowners that all landscape plans must be submitted.

Homeowner: In a case where a homeowner is installing a fence, does the HOA's ACC discuss the installation with adjoining neighbors? And if not highly recommended that this practice be enacted.

Dan Rivers: Discussion with the neighbors is not required.

Homeowner: If just a tree or two is planted, do plans need to be submitted?

Bob Binn: Any plants close to the house do not require ACC approval, but it's best to always to submit.

Homeowner: What is the turnaround time for plans?

Bob Binn: Review occurs at the monthly meeting. If the plans are for a new home the appropriate fee and paperwork are required.

9. Bob Binn: Bob presented the Highlands Pres. Report.

a) Accomplishments for the year

- i) Trail Maintenance
- ii) Landscaping at monument entrances.
- iii) Park clean up and landscaping
- iv) Pond
  - (i) Algae preventer
  - (ii) Continued leak repairs

v) Gazebo repairs and painting. Thanks to Bob Morgan!

Homeowner: Do we have to worry about controlling mosquitoes at our ponds?

Bob Binn: He spoke the Health Dept. The pond near the golf course has minnows that control the mosquito larvae. The Gazebo pond was treated with two briquettes that control the larvae.

Dan Potter: There had been mechanical problems with the gazebo pond, which are now fixed.

b) Goals for next year.

- i) Better covenant enforcement.
- ii) Weed control
- iii) RFP for maintenance. Three contract.

Homeowner: The golf course is the biggest violator of uncontrolled thistle. What can we do?

Bob Binn: Place calls to the county's department of noxious weed control. Bob further reminded the homeowners to help participate in covenant control. All reports will remain anonymous.

Homeowner: If the maintenance contract is for three years, what happens if the contractor does a poor job? Are we locked into poor performance for three years?

Tony Agüero: The contract has performance guidelines that are part of a termination clause.

Bob Binn: We desperately need volunteers for our committees.

10. Dan Potter: Dan gave the developer's report.

- a) The golf course sold. As a condition of the sale the new owners required release from several covenants. Kings Deer traded those covenant concessions for 8 acre-feet of water.
- b) The developers will donate the concrete pad for a pavilion at the park.
- c) The developers will also donate cisterns for the monuments should irrigation be required.
- d) Are seeing a slight increase in sales activity. Have not seen prices "softening".

Homeowner: How many lots are left?

Dan Potter: 44

11. Marty Kimbaird: Marty gave the Classic financial report.

a) YTD income: \$15,180.00

b) YTD expenses: \$18,800

Homeowner: Does classic have insurance?

Marty Kinnaird: Classic has no insurance for damages etc.

Homeowner: Can a light be installed at Kings Deer Point and Archers near the school?

Dan Potter: There was one there originally. All of the lights at the school make up for one that was removed.

Homeowner: Can shields be installed so that light is cast down?

Dan Potter: That has been tried. The shields are ineffective.

c) Classic has \$19,000 in reserves

d) Classic has \$30,500 in their enforcement fund. Those funds are strictly reserved for legal fees.

12. David Hamilton-Smith: David gave the Highlands financial report.

a) YTD income: \$57,933

b) YTD expenses: \$37,380

c) Cash Balance: \$67,090

d) Enforcement fund: \$51,900

13. Lenard Rieth: Lenard informed the homeowners that a motion must be made to ratify the vote to merge the corporations of Classic and Highlands. Is there a motion to merge classic and highlands corporations?

Bob Bimm: So moved.

Homeowner: Second

Dan Rivers: Dan was uncomfortable with ratifying a vote since the ballots were not all collected. Additionally Dan continued to question the validity of several of the email ballots.

Dan Potter: There are 107 vote for the merger and 9 opposed. There are 107 votes for the dues increase and 9 opposed.

Lenard Rieth: The HOA will vote to merge the Highlands and Classic corporations now.

In favor: All but one.

Opposed: 1

The vote to approve the merger is nearly unanimous. Lenard then asked for a motion to approve the changes to the bi-laws.

Bob Bimm: So moved.

Dan Potter: Second

Bob Bimm: Called for a vote to approve the merger of the bi-laws.

In favor: Unanimous.

The vote to merge the bi-laws is unanimous.

14. Bob Bimm: New board member voting.

Bob Bimm: Nominated Mary Forte for the vacant Highlands spot.

DixieSchull: Second.

Dan Rivers: Nominated Alan Algen for the in general spot.

Larry Lawrence: Second.

Rob Hoffman: Nominated Dan Potter for the in general spot.

Rob Bluemel: Second.

Voting then took place via secret ballot. Mary Forte won the position for the Highlands spot and Dan Potter won the position for the in general spot.

The HOA Board Members for the combined board are as follows; Robert Bimm, Tony Aguero, Dan Rivers, Chuck Hoffman, Gene Ladd, Mary Fortey, and Dan Potter.

15. Open discussion.

Homeowner: I'm worried that I will have to mow my lot to a six maximum based on the Highlands covenants.

Tony Aguero: That will not be the case. The HOA board will reasonably enforce the covenants.

**Homeowner:** Is there a possibility of building tennis courts for the neighborhood?

**Bob Bimm:** The Highlands board has performed a lot of research regarding tennis courts. They are very expensive to build. At this time the board does not feel that it is feasible to build courts

**Bob Bimm:** Do I have a motion to adjourn?

**Homeowner:** So moved

**Homeowner:** Second.

---

Robert M. Bimm, Highlands HOA President

Date

---

Marty Kinnaird, Classic HOA President

Date