

President's Corner

by John Highhouse

It's been a busy summer! We have accomplished a lot of common area maintenance and repairs. You will notice the pond is greatly improved over last year. The new aeration system has made it possible to keep the algae under control. The stop signs at the intersections of Roller Coaster/Royal Troon and Roller Coaster/Kershaw have been remounted on poles that match those used in most of the rest of King's Deer. This presents a more uniform upscale appearance that is expected of our neighborhood. Along these same lines, we have upgraded and replaced the trail signage. You will also notice our first community informational sign at Roller Coaster near Montcombe. This is a huge improvement over the little coroplast signs that have been used in the past. We've reorganized our off site storage, giving us a new dedicated map storage area. All of this has been done using cost effective materials, striking deals with vendors and a whole lot of volunteer work.



This year we have a new Reserve Study to show us the required funding needed to match our future needs. This is a valuable tool of the HOA. It is recommended that a new study be done whenever there are substantial changes in the HOA common area assets or a number of years have gone by making the previous Reserve Study less reliable due to economic changes. We also have completed an independent Financial Review of the HOA, which was done by the auditing firm BiggsKofford. This review is important to show you, the HOA members, that your organization is being operated using sound accounting practices with no irregularities. *Continued on page 4 — PRESIDENT*

Annual Water Consumption Results

by Allen Alchian

October is the month to report water meter readings to the homeowner association (HOA). This annual ritual allows the HOA to prepare a report which must be sent to the Colorado Division of Water Resources. They review the report to ensure all well owners are complying with the terms of their well permit. Specifically, they verify that every well owner is staying within their water allocation limits as permitted by the Colorado Water Court.

After the HOA receives all the meter readings, prepares the report and sends it to the state, the readings are then added to the King's Deer database. This allows each owner to review their annual water *Continued on page 2 — WATER*

ACC 2011 by Rich Paul

As most of us are aware, the current economic situation has resulted in foreclosures and "fire sales" on property both locally and nationally. This, in turn, has created an unexpected turn of events in King's Deer in the form of "bargain basement" prices for undeveloped property. When coupled with historic low interest rates, a "perfect storm" has been created resulting in an increase in New Construction applications being submitted for approval.

To date, the HOA has approved five new construction projects with a sixth currently under review. This exceeds

Continued on page 4 — ACC

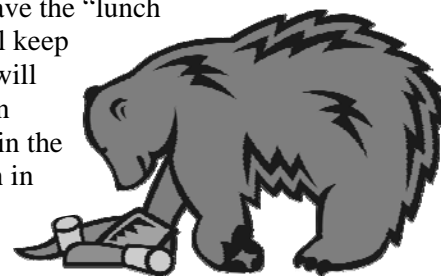
Enjoy Wildlife, but be "BEAR AWARE"

by Al Walter

We are blessed to live in an area where wildlife is abundant and we can observe creatures large and small in our neighborhoods and even our backyards. While we enjoy watching these animals, we need to be aware of our responsibility to protect and preserve them for others to enjoy, This is especially important now that bears are beginning to "stock up" on calories in preparation for their winter hibernation.

The key to enjoying our local bear population is to observe them at a distance. Since we are living in their territory, it is not unusual to have bears pass through our yards as they look for natural food, such as berries and acorns. The idea is to enjoy watching the bears as they pass through, but not to provide a "lunch buffet" by having attractants that cause the bears to stop. **Bears have a great sense of smell and amazing memories.** Once they know

which houses/yards have the "lunch buffets," the bears will keep returning to feed and will likely get aggressive in finding more goodies in the yard, garage, and even in your home. The last thing you want is to confront a 300 to 400



pound bear in your garage or your house. If these bears become aggressive or cause harm to humans, they must be destroyed. Don't be the cause of a bear meeting this fate!

If bears are observed in your neighborhood, the following are some of the items that will attract them to your yard:

Trash cans. Keep trash cans in your garage until trash day. Also, use a container with a lid and don't put out trash in garbage bags. *Continued on page 2 — WILDLIFE*

Winter Driving – Report the Damage!

The snow will soon be with us. Accidents can happen even to the most cautious drivers. Moisture on the roads will turn to ice with the cold overnight temperatures. Often a snowfall will cover this layer of ice making for treacherous conditions.

Road plowing is a responsibility of El Paso County Department of Transportation. Accidents resulting in damage should be reported to the Sheriff's Department. In addition, we ask that you report to the King's Deer HOA office any damage to King's Deer property. This includes the entrances, signage, light poles, walls and any common area property. Each year we have several light poles struck during snowy and icy weather. If you see a vehicle damage any of our common property, please take the license plate number, vehicle description, location and time of accident, and report this information to our King's Deer admin office either by phone (719 488-2840), by email (admin@kingsdeer.org), or send a message using the "Contact Us" link on the KD web site. Remain anonymous if you prefer.

Repairing the damaged property costs us all because the repair is paid from the HOA general fund. Please be alert and safe all winter long. 🐾

Political Signs

Once again it is that time of year when election posters sprout like weeds. Election posters are allowed in King's Deer as long as they are compliant with the published Signage Policy. Essentially, each property owner is allowed to display one election sign on their property for each candidate and ballot issue. Signs placed in the common areas or road right of way will be removed to prevent undue clutter in the community. Other restrictions also apply, so if you are planning to endorse any candidate or issue using these signs, please take a quick look at the King's Deer Signage Policy. It, along with all other rules and restrictions of the homeowners association, are available for download as a pdf file from the King's Deer web site, under Governance Documents in the Library section. 🐾



WILDLIFE *continued from page 1.*

Keep garage doors closed, especially if you have a freezer or refrigerator in the garage or if you store bird or pet food in the garage.

Bird feeders. Bears love bird food and especially sugar water in hummingbird feeders.

Fruit trees. Bears enjoy snacking on sweet fruit this time of year. Remove fruit from trees as soon as it is ripe.

The Colorado Division of Parks and Wildlife has a trained staff of volunteers known as the "Bear Aware



Team." This team provides outreach and information to folks who have questions or concerns about bears. Call 719-227-5200 or visit www.wildlife.state.co.us. Remember, bears are wild creatures and should be observed at a distance. Also, it is illegal to feed wild animals and you could be

assessed a hefty fine for doing so. In the words of a popular bumper sticker:

A FED BEAR IS A DEAD BEAR!

—Al and Rhetta Walter are King's Deer residents and volunteers with the Colorado Division of Parks and Wildlife's "Bear Aware" and Animal Transport teams. 🐾

WATER *continued from page 1.*

consumption in the Owner Area of the King's Deer website. The information will be available on the King's Deer website (www.kingsdeer.org) beginning December 1st. Once you've logged in, select "Water" then "Review Water Consumption." You will see last year's reading, the October 2011 reading you submitted, the number of gallons you used from 2010 to 2011, and the maximum number of gallons per year you are allowed to use.

If you need assistance logging in the web site, contact the HOA office by email (admin@kingsdeer.org). 🐾

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King's Deer Landlord

by Dixie Schull

Renting your King's Deer residence is and has always been an option available to King's Deer homeowners. In the past couple of years more and more homes in King's Deer have become rental properties. If you are thinking of becoming a landlord of your own home, here are some considerations in the context of King's Deer being a covenant controlled community to keep in mind.

All properties in King's Deer are single-family dwellings. While this might seem quite obvious to you, the implication is that part of the house cannot be rented out while the house is still owner occupied. The entire house and property is for the use of one family **only**. This is not only a covenant limitation, it is a zoning restriction.

A less obvious and more frequently overlooked aspect of renting your home, are the terms of the lease in regards to clearly obligating the tenant to comply with the rules and regulations of the King's Deer Homeowners Association. The property owner remains responsible to the association for ensuring their property and its occupants—the tenants and their guests—comply with the HOA restrictions. When violations occur, the property owner receives a violation notice from the HOA and will be held accountable to the HOA for resolving the violation. This can leave the property owner in a difficult situation if the owner has not included adequate stipulations in the lease that place similar obligations on the tenant to the homeowner.

If the HOA has the tenant's name and mailing address, the HOA may provide the tenant with information copies of notices mailed to the owner. However, this will not shift the accountability and responsibility for ensuring compliance with the HOA rules and restrictions from the property owner to the tenant.

If your King's Deer property is currently being rented and your contract does not clearly obligate the tenant to comply with all the HOA rules and restrictions, it might be wise to consult a real estate attorney or your leasing agent about incorporating appropriate provisions. If you're planning to rent your property, or have it on the rental market now, please be sure to have your leasing agent or property manager include conditions in your lease agreement that will ensure your tenant is adequately motivated to meet the restrictions that are associated with residing in King's Deer.

The periodic written communications from the homeowners association to its members are very important. They are sent because of legal obligations of the HOA or because they contain information about important events, annual deadlines or information. These are always sent to the property owner by first class mail, including the newsletter (such as this one). The newsletter is an official


publication of the King's Deer Board of Directors and therefore an appropriate medium for transmitting notice of deadlines, reiterating covenants and sharing information to homeowners. If you are, or will be a landlord, you should be sure that you provide your tenant the information necessary for them to meet your homeowner association obligations. Examples are the annual lot mowing deadline and the annual water meter reading reporting obligation in October.

The King's Deer web site has a Library section which contains all the governance documents of King's Deer. Please share this web site with your real estate attorney/leasing agent and prospective tenant. This is a great way to make available all the restrictions and obligations that come with being a King's Deer resident. The Library also contains an archive of the newsletter. All of these documents—the governance documents and newsletters—are downloadable as pdf files.

By making your prospective tenant aware of all the obligations they will encounter by becoming a resident in King's Deer, you can make the relationship between you and your tenant much more positive and enjoy a more successful business relationship. 🦌

FLAG RETIREMENT CEREMONY

The Tri-Lakes American Legion Post 9-11 in Palmer Lake is accepting worn US flags for proper disposal. Drop off your American flag at the Post Home in the Depot Restaurant at Palmer Lake. The Post will conduct a proper retirement and disposal ceremony for all collected flags on Flag Day, 2012. This service is provided free of charge.



Neighborhood Watch

by Sharon Kuykendall, Coordinator (nw@kingsdeer.org)

It has been a peaceful summer in King's Deer. Unlike last summer, I did not receive any reports of mischief or vandalism. Unfortunately that lull was broken recently by someone who spray painted some of the deer on our entry monuments.

The only alerts sent out were regarding bears, a mountain lion and coyotes. Be sure to read Al Walter's article in this issue regarding bears.

If you did not receive the alerts, please email me with your name, address, phone number and email address.

We are still in need of block captains. If interested in volunteering, email me.

Hope to see you at the Annual HOA Meeting on Tuesday, November 8th. 🦌

Common Area Maintenance


by Penny Dyer

Two major areas of maintenance are the trails and the pond and all that is involved in the upkeep of them. The trails have no life remaining according to our new Reserve Study. They have been worn down to their base and it is time to begin reconstruction to raise the trail surface in many areas so the trails will shed water rather than capturing water as they do now.

After attempting to deal with the different algae, cattails, and other pests at the pond we have selected a company to help guide us and provide services. After installing four aerators to improve the water quality, it is now time to plan for the longer term maintenance of the liner and the buildup of silt on the bottom. It would be prudent to try to avoid a single huge expenditure but the liner will eventually need replacing which is part of the financial forecast in the new Reserve Study.

The entrances, sports field, and playground have been "business as usual" with the exception of painting the playground equipment this summer. We have predictable maintenance to do either early fall or beginning of spring next year.


We have completed powder coating most of the street light poles that had significant peeling with the addition of some new signs.

More about the new Reserve Study can be found on page 5 of this newsletter, and it will be one of the presentations at the annual membership meeting next month. 


ACC *continued from page 1.*

the number of new construction projects of the last three years *combined*. In total, the ACC is currently monitoring 58 active projects in various stages of completion in the King's Deer HOA, an increase of approximately 18 percent over last year.

In the October 2010 King's Deer newsletter, readers were informed of the additional requirement of mandatory fire suppression systems imposed on new residential construction which exceeds 6,000 square feet (including attached garages). In that article it was mentioned that the county commissioners would be considering readopting the 2009 regional building code requirements to remove this requirement. To date there is no new information to report. As information is received, the HOA will keep owners apprised.

Finally, as everyone prepares for the fall (and upcoming winter) the ACC wishes to remind all King's Deer owners that snow fencing must be approved by the HOA *before* it is put up. Approvals for snow fences last five years so owners may determine the most optimal location for planting a permanent "living snow fence" during the spring and or summer months of the approval period. 

Snow Fences

It's getting to be that time of year again. Snow fences are allowed in our community by ACC approval only. They are seasonal items, meaning they can be put in place no sooner than October 15 and must be removed by April 30. The HOA wants to remind everyone that the snow fence approvals are only good for five consecutive calendar years from the date of approval. The sole purpose of this 5-year approval is to allow the owner the opportunity to determine the optimal location for a living snow fence (row of trees) and to plant and establish it within the 5-year approval period. Furthermore, snow fences must meet the requirements and specifications set forth in the *Design Standards* for King's Deer (available online at www.kingsdeer.org/governance.php). If you have any questions please contact the HOA. 




King's Deer Men's Breakfast

King's Deer has a no-host men's breakfast once a month (usually the 2nd Saturday) at *The Troon Tavern*. The breakfast begins at 8 AM and it's a great way to find out what's happening not only in our development but around the Tri-Lakes area. If you are new to the community it is also an excellent way to meet your neighbors and make new friends. So come join us and enjoy the fellowship and fun. For more information contact Dennis Delhousay by email at ddelhousay@comcast.net.

PRESIDENT *continued from page 1.*

It also provides the Board with valuable feedback on better ways to manage the organization's funds. As a result of these, the Board has boosted the Reserve Funds and acknowledged that we have some challenges in order to meet our future fiscal needs.

As the year comes to a close, we have the Board elections, water meter readings and annual meeting. We are happy to report that we have received back enough ballots to make the vote "official". I want to thank all those that returned ballots. Had we not achieved the minimum required threshold by the Oct 24 deadline, the election would have been declared invalid and another ballot would have to be mailed to everyone with the HOA incurring additional costs. The annual HOA membership meeting is November 8, 2011 at Prairie Winds Elementary School from 7 to 9 pm.

Please be sure to report your water meter reading to the HOA in order to comply with the Colorado state requirement. As this will be the last newsletter before the end of the year, we wish you a Happy and Safe Holiday Season! 

New Reserve Study Completed

by Allen Alchian

This past July, the Board of Directors contracted for a new reserve study of the HOA common area assets.

A reserve study identifies all common area assets (e.g. trails, playgrounds, pond, streetlights, etc.) and estimates the future expenses to restore or replace those assets at the end of their useful life. Using those estimates, the Board of Directors allocates a portion of each year's annual assessments to a separate account to reserve the money to cover the estimated future restoration or replacement expenses. A properly funded Reserve Fund ensures that future costs to replace or restore common area assets are equitably distributed among the members who would benefit from those assets. The Reserve Fund provides a funding source when it is time to replace or restore an asset.

The first reserve study for King's Deer was completed in 2005 and it has been serving as the baseline for allocating money to the Reserve Fund. Based on that study, King's Deer Reserve Fund at the end of 2010 was better than fully funded with a December 2010 balance of \$112,340.

The Board of Directors were concerned that the six-year-old study might be out of date because there have been improvements to the common areas that did not exist in 2005. Also, some assets may have deteriorated faster or slower than anticipated in the 2005 study.

This new reserve study, performed by Miller-Dodson Associates, confirms that the situation has changed, and that the annual contribution to the Reserve Fund will need to increase from about \$10,000 per year to about \$30,000 per year to meet the milestones of the new study.

The Board is currently reviewing details of the reserve study and is considering options to ensure common area assets can be restored or replaced when anticipated.

During the Annual Membership Meeting on November 8, the new reserve study will be a featured presentation. That meeting begins at 7 PM at the Prairie Winds Elementary School in King's Deer. If you would like to review the reserve study in detail, please contact the HOA office and an electronic copy will be sent to you by email. 🐾

Snow Plowing

The winter season is just around the corner and with that being said, travel becomes a bit more of a challenge in King's Deer.

Each winter the HOA office receives requests and complaints about plowing the streets. Since the late 90's snow plowing and removal for the King's Deer community has been the responsibility of the El Paso County Department of Transportation.



The County plows roads on a priority basis. Roadways are classified into "priority levels." Priority Level 1 is the highest and includes the county highways, main thoroughfares, and school bus routes such as Archers, Kings Deer Point, Kershaw, Roller Coaster, Royal Troon, etc. Side streets and cul-de-sacs are a lower priority and thus are not plowed as quickly or as often. Calling the HOA office will not speed up the process.

Details on plowing and priority roads can be found on the county's website at adm.elpasoco.com/Transportation.

If you are interested in contracting for plowing your driveway or cul-de-sac, the King's Deer website, "Services for Hire" link displays businesses that are interested in serving the King's Deer community. Also, please review the ads in this newsletter. 🐾

TREASURER *continued from page 6.*

topic for presentation and discussion at the Annual Meeting.

A total of \$15,377 has been spent so far this year from the Reserve Fund on various restoration projects including the playground equipment, aeration for the pond, and some signage in the subdivision. The Reserve Fund balance at the end of September stands at \$165,135.

We expect to finish out this year close to budget on operating expenses, which includes administration, professional fees, and regular maintenance. For detailed information on the financials, visit www.kingsdeer.org and look for "Financial Report" in the "Library." 🐾

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www.KingsDeer.org

Treasurer's Report *by Penny Dyer*

The 2012 Annual Assessment will remain unchanged at \$300. Payments are due by Tuesday, January 3, 2012. Statements for the annual assessment will be in the mail in early December. Please contact the HOA if you do not see it by mid-December. The statement will be mailed to the mailing address in the King's Deer database. You can check the database to ensure your mailing address is current, and update it if necessary, by logging into the Owner Area of the King's Deer web site then click "Update your personal info." If you don't have your user name and password, please contact the HOA by email. We will again offer the installment payment option to pay the annual assessment to those whose accounts are current; details will be included with the Statement.

This year the board made a decision to have a new reserve study done since the old study was six years old and didn't include all of the community assets. The new study, completed in September, revealed that the association is under funding the reserves by a significant amount. As a result, the board transferred \$60,000 from prior year's retained earnings held in the operating account to the reserve fund; this is in addition to the \$10,000 that was budgeted from this year's assessments). The new Reserve Study will be a *Continued on page 5 — TREASURER*

King's Deer HOA Reference

Important Dates in King's Deer HOA

Report water meter reading: October 1–31
 Annual Membership Meeting: Tuesday, November 8
 Annual Assessment Due Date: Tuesday, January 3, 2012

Office Closure

Friday, October 21
 Thursday and Friday, November 24–25
 December 24 – January 2
 (See web site Calendar page for updates)

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