



Board of Directors Minutes

October 20, 2009

Members Present: Jim Hazuka (President), Tony Winslow (Secretary), Penny Dyer (Common Areas & Asst. Treasurer), John Highhouse (Vice President & ACC Liaison), Richard Hanley (Director at Large), Chuck Zink (Covenants)

Members Absent: Brian Ramsey (Assistant Covenants)

Guests Present: Charlotte Christensen, Allen Alchian, Rich Paul, Dick Robertson

Meeting brought to order at 5:00 PM.

- I. Adopt Board meeting minutes from September 15, 2009
Winslow moved to approve with changes. (*Hazuka required change to minutes to note that he was the nay vote on the motion to change covenant violation notification intervals from 14 days to 7*) Motion seconded and approved unanimously.
- II. Officer's Report
 - A. Secretary
 1. Water meter reading
Winslow reported 125 readings received from mail, email, fax and 48 reported from the web site. Wasson stated that the "reminder" post cards are ready for mail out.

Winslow recommended that we delay placing fines on residents who have not sent in the water meter reading by the final deadline of November 30 until December 1. Motion seconded and approved unanimously.
 2. Annual Meeting
Discussion ensued about the "informational" annual meeting and was clarified that there were to be no "motions" from the floor. Mail out for the ballots will be November 9th and the receipt of vote deadline will be December 4th in the office close of business. Hazuka stated that the HOA Attorney said that if we have an "informational" only meeting, motions will not be entertained from the floor and a quorum is not necessary. The issues advocated from the group will be discussed and if necessary another meeting will be scheduled.
Members of the subdivision who would like to be nominated to the Board of Directors will be entertained at the annual meeting and will be added to the mail out ballot. They will need to have a short resume sent to the office for inclusion in the mail out.
 - a. Agenda for the annual meeting is attached and approved unanimously.
 - b. Cover letter will be written by Hazuka
 - c. Nominating Committee
Winslow moved to approve Richard Hanley (Chairman) and members will be Annette Hazuka and Grace Highhouse. Motion seconded and approved unanimously.

- d. Hazuka stated that there will be a Board meeting on November 17.
- e. Grace Highhouse of the Nominating Committee recommended Rich Paul, Penny Dyer, Anthony Winslow and Richard Hanley for the Board positions available 2010. Biographies were requested from the nominees.

B. Treasurer

- 1. Financial report
Report attached and approved for posting on the website.
- 2. Budget
Zink moved to approve the 2010 budget. Motion seconded and approved unanimously.
- 3. Reserve account
Dyer recommended transferring \$40,000 from the operating into the reserve account per the Reserve Study done in 2005. Hanley moved to approve the funding of the reserve account. Motion seconded and approved.

III. Director's Reports

A. Common Areas

Dyer stated that the sprinkler system at the monuments has been turned off and the lights are being double checked to make sure they are working.

Wasson moved the pile of mulch at the Archers entry and a financial discussion of routine maintenance at the entrances was approved.

B. Covenant Enforcement

- 1. Covenant Enforcement Oversight Committee report
Zink stated that the committee members (Grace Highhouse, Dixie Schull) met on October 1 at the Troon Tavern, since the facility at 707 County Line Road was unavailable.
 - a. Members requested a final decision from the Board members on the June 4 recommendation of fines. After discussion on this matter, the board decided to accept the CEOC recommendations as a guideline and not policy.
 - b. Ways to communicate to the community about the different covenant violations was discussed, the newsletter and website were approved. G Highhouse has already written an article for publication.

C. Architectural Control Committee

- 1. Proposed compliance fee changes.
The ACC proposes the following changes in the compliance fee process for new construction:
 - No longer break out the compliance fee amount into "Construction" and "Landscaping" phases and refunding half at the end of each phase.

- The entire compliance fee amount will be retained until the successful completion of the project.
- "Successful Completion" includes the agreed upon landscaping requirements, within the specified time designated by the ACC.
- Failure to comply will result in the loss of the compliance fee and referral to the CEOC for further action.

It is believed that the potential loss of \$5,000.00, rather than \$2,500.00, may be more of an inducement to the Owner to comply in a timely manner.

J Highhouse moved to approve the revision. Motion seconded and approved unanimously.

2. ACC Meeting report

- a. King's Deer ACC has 44 active projects on file.
- b. Annual New Construction Summary: 1 new home construction has been approved in 2009 with 0 pending.
- c. 1 landscape project was approved since last report.
- d. 1 Re-stucco of a home was approved since last report.
- e. The committee approved a waiver for 965 Lancers Court to place a play set and trampoline in the front yard based on the following unique factors:
 - The unusual placement of the home on the lot and the physical attributes of the lot.
 - The home is situated in the rear corner of the lot in such a way that the location of the home is 36 feet from lot boundaries on two sides, which would place the equipment into the 35 foot set back.
 - The close proximity to the public trail on the third side would also require substantial landscaping to conceal the equipment from public view.
 - The front of the home is well treed and the equipment would be well hidden from the street (approximately 400 feet from the entrance of the property).
 - The home is located at the end of a cul-de-sac, limiting the amount of traffic that would potentially see the equipment from the road.
 - The waiver allowed the placement of the equipment within the current landscaped area in the north-east front of the home in such a way as to take full advantage of the existing shrubbery in obscuring the equipment from public view.

The equipment will be located in the staked area observed by the ACC committee members during their on-site visit on October 1, 2009. Additionally, The approval and waiver are contingent upon the new Owners taking possession of the property no later than 10-9-09.

- f. **19525 Royal Troon, Lot 77 Highlands filing 5** - Storm water sign.
The ACC disapproved a request from Richmond Homes for the placement of a 20 sq ft. sign to satisfy the State / Federal requirement for such signage on active construction sites. The disapproval was based on the fact that Richmond no longer has an active approved project in the King's Deer community and therefore the sign is not required. *(see ACC minutes - April 23,2009 - Old Business - item #1- for approval recession details)*
- g. The ACC committee proposes a revision in the compliance fee process for new construction.

D. Executive Director

1. Office closed October 26 and November 26 & 27, 2009
2. Email and web site problems
Alchian presented the following information about the website problems including possible email losses (such as email sent to admin@kingsdeer.org or patriciaw@kingsdeer.org).

King's Deer web site and email server is hosted by the company *Hosting Metro*. The website has an online database which contains the following information:

- Ownership records
- Property info
- ACC records
- Water meter readings

The Web server crashed Sunday, October 11th and was restored by the hosting company within 24 hours. The Company backup was 7 days old (October 6th). Alchian updated the web pages to their current state but the backup of the database was 6 days old (October 7) all water readings submitted during October 7-11 were lost (possibly about 13 readings).

There have been other email problems in addition to the server crash above. These are:

- Comcast provides email service for about 40% of King's Deer residents.
- Comcast periodically blocks incoming email from select hosting companies due to excess spam.
- Email from Hosting Metro is one of the Comcast targets
- Consequence: some KD email is not delivered to some KD owners.

Winslow & Alchian recommended trying a new hosting company for King's Deer (Go Daddy). A 3 month subscription was opened October 14 for \$15.97. The present company's subscription (Hosting Metro) expires end of November but it can be extended monthly or yearly. KD services will migrate to the new company (Go Daddy) in mid-November. The King's Deer site will be down for about half of a day during the switch.

There was a web site bug reported that prevented some owners from submitting meter readings directly into the online database. Those individuals have submitted by other means. The errors have been identified and corrected.

3. Speed Sign emails
Wasson presented to the Board hard copies of the emails received from residents about the newsletter article on the possibility of placing an electronic speed sign.

4. 1218 Castlecombe Lane update.
Wasson presented letter received from homeowner on the ancillary building.
5. Foreclosure
Notification was received this week for foreclosure on one property.

Hanley moved to adjourn at 6:47PM. Motion seconded and approved unanimously.

Next meeting: Tuesday, November 17, 2009, 5 PM, 707 County Line Road

President

Secretary

Attachments:

1. Financials
2. ACC Report
3. Annual meeting agenda