



Board of Directors Minutes

November 24, 2009

Members Present: Tony Winslow (Secretary), Jim Hazuka (President), John Highhouse (VP & ACC Liaison), Brian Ramsey (Assistant Covenants), Richard Hanley (Director at Large)

Members Absent: Chuck Zink (Covenants), Penny Dyer (Assistant Treasurer & Common Areas)

Guests: Martha Fowler, Allen Alchian, Rich Paul, Charlotte Christensen

Meeting brought to order 5:05PM

I. Adopt meeting minutes from October 20

II. Guest – Martha Fowler

A. Requested the HOA place a barrier on the end of the Montcombe cul-de-sac to to minimize road noise associated with County Line Road. The Board rejected the request.

B. Requested a trail extension down Roller Coaster to accommodate Kings Deer residents that live on that stretch of road. Board members advised that there was not money in the budget to handle an initiative of this size. In addition, the effort would likely require approval by residents and El Paso County. The existing trails were planned when the development was established. The Board then detailed the process by which the resident could take in order to get further consideration for an initiative of this size.

C. The resident stated there was possible saving in the Budget in areas such as office supplies, elections, and common area maintenance. The Board disagreed.

D. The resident also addressed concerns about property owners not mowing vacant lots. The Board stated that this is one of the items on tonight's agenda that the Board will be addressing.

Executive Hearing start 5:25PM:

Executive Hearing adjourned 5:40PM

III. Officer's Report

A. President:

1. Discussion of annual meeting notes

Ramsey moved to approve annual meeting informational minutes. Motion seconded and approved unanimously. The meeting minutes will be posted on the website.

2. Hazuka motioned that although the 4 November Annual Meeting was not formal, that minutes from the meeting be approve as written. The motion was seconded and approved unanimously. They will be posted along with the presentations, on the Kings Deer website.

3. Hazuka also asked about the process of raising issues to the Board for discussion, especially if there are potential covenant responsibilities that may be waived without Board approval. The specific issue that raised this concern was the mowing of vacant lots. Hazuka and other Board members did not recall a discussion in any Board meeting on this issue. Winslow stated that he believed that we had several previous discussions but none were documented in any Board minutes. Hazuka concluded that we would address the mowing issue in a later Board meeting but wanted to ensure that there are no decisions being made that conflict with covenants or our by laws without the Kings Deer HOA Board's involvement.

B. Secretary

1. Water Report - Allen Alchian

Alchian attended the annual meeting of Great Divide Water Company (GDWC) in October. GDWC is contracted to do the required water augmentation for King's Deer. The total augmentation cost for King's Deer will be increased by \$600 over the budgeted amount. The two (2) deep commercial wells are at their end of life expectancy and need to be replaced. GDWC reserve funds are only \$149,000 and to replace one well will cost an estimated \$500,000. The increase in GDWC membership dues is to help fund this shortfall.

Also at the GDWC meeting, Brian Sutton, Water Commissioner Division 2, said that some action has been taken against some homeowners who have been misusing water. Ponds have been identified as a problem with evaporative losses equaling about 24 inches per year. Alchian recommended that the ACC should not approve significant ponds if it is beyond what is authorized for water usage.

2. Water Meter Readings

Wasson stated that as of November 24, 2009 the office has not received 14 well meter readings. - 5 are in bankruptcy and/or foreclosure. The Board asked Wasson to continue to try to collect the missing meter readings.

3. There have been 222 election receipts as of 11/24/2009.

C. Treasurer

1. Financial report

Balance sheet and P&L attached.

2. Member Balance Detail,

Christensen recommended that now is a good time to write off uncollectible debts, which would include bank owned, foreclosure properties. Colorado law severely limits the amount that HOA's can collect from financial institutions on foreclosed properties. The Board deemed the following four (4) properties are uncollectible and the debts should be written off: 19205 Sixpenny Lane, 19647 Falcon Crest Court, 19785 Kershaw Court, 20171 Sedgemere Drive. Ramsey moved to approve the write off of all debts currently on the books for these four properties. Motion was seconded and approved unanimously.

IV. Director's Reports

A. Common Areas - No report

B. Covenant Enforcement

1. Covenant Violation Report -

- a. 19270 Lochmere Court - vehicles parked outside - received a waiver request from homeowner.

Ramsey moved to approve a conditional 6 month waiver for two vehicles to be parked outside. The two vehicles must be parked on the paved driveway and next to the garage. The Board expects the homeowner to arrive at a more permanent solution such adding an ACC approved garage/ancillary building should the situation continue beyond the waiver period. Motion seconded and approved unanimously.

2. CEOC - No report

C. Architectural Control Committee

Highhouse presented the ACC report. Currently the ACC has 42 active projects on file with only 1 new home construction approved in 2009 and none pending. Two snow fences, one reroof of a home have been approved since the last report.

The ACC committee has reverted to the winter schedule as of November 12, 2009, with one meeting in November and one in December. The Committee will resume normal bi-monthly (twice a month) meetings in January 2010.

D. Executive Director

1. Dates office closed:
November 26 - 27, December 24 (Vacation), December 25 thru January 3
2. Foreclosure/Public Trustee Sale
20440 Taversham, Lot 37 Highlands filing 4
3. Color copier/fax
Wasson stated that the fax machine is inoperative. The Board approved buying a new one.

V. Other Business

- A. Hazuka updated the board on the status of the ancillary building at 1218 Castlecombe. Since the ancillary building has still not been removed, the HOA attorney reported that he has filed suit per the Board's previous direction.
- B. Hazuka said that several conflicts interfere with the next meeting date of Tuesday, December 8, 2009, 5 PM, 707 County Line Road and that he would contact the Board members and check to see if we could change the date.

Meeting adjourned 7:30PM

President

Secretary

Attachments:

1. Financial Statements