



King's Deer Homeowners Association; P O Box 3143; Monument, CO 80132; Ph. (719) 488-2840

King's Deer Board of Directors Minutes

December 15, 2016

(King's Deer Golf Clubhouse – 5:30PM)

Members Present: Joe Willis (President), Dan Rivers (Vice-President & Water Resources Committee), James Hazuka (Secretary & CEOC), Patrick Staffieri (Common Areas), Dan Snelling (Treasurer & ACC), Ken Harris (Co-Director Common Areas), Steven Shurgot (NEPCO)

Guests: Allen Alchian (Regular Meeting)

Meeting brought to order at 5:30pm

Executive Session adjourned at 5:57PM

Regular meeting brought to order at 5:58PM

I. Officer Reports

A. President

1. **Meeting with David Diedrich, Deputy Water Commissioner (District 2)**

Willis and Hazuka met with Dave Diedrich to discuss the Kings Deer HOA Water Report. This report is an annual requirement mandated by the State. One of Mr. Diedrich's responsibilities is to ensure compliance of water use for homes within his District. Mr. Diedrich has put in place a more rigorous program aimed at curbing over use of water. The Commissioner has many tools at his disposal to ensure compliance to include sizable fines and court related costs. The Kings Deer water report identified 73 homes that have exceeded their 2016 water allocation outlined in their respective well permits. These 73 HOA members may be contacted by the State for the purposes of reducing their water use.

2. **HOA proposed over use letter to Residents**

Hazuka recommended the HOA send a letter to members who were identified in the water report as over using their water allocation in 2016. The letter would inform members that the State may contact them. In addition, the letter would offer water conservation tips. The Board agreed. Willis and Hazuka will jointly work on the letter. The intent is to mail the letter to each of the 73 members in January 2017.

B. Secretary

1. **Approval of November Minutes**

Hazuka moved to approve minutes. Motion seconded and approved unanimously

2. **Supervisor of the HOA Executive Director**

Hazuka volunteered to be the supervisor of the HOA Executive Director. The Board approved.

3. **Write & manage contracts**

Discussion ensued about who should have the authority to initiate HOA contracts with vendors. It was decided that the individual Board member

assigned to a respective function (i.e., Common Area Maintenance) should have the authority to initiate a new or replacement contract. Board members will still need to review and approve the new or replacement contract. Contract modifications that will drive increases in expenditures must also be reviewed and approved by the Board.

4. Dates for 2017 Key Events

- a. Mowing – June 30, 2017
- b. Garage sale – August 11/12/13 2017
- c. Annual meeting – November 7, 2017
- d. November Board Meeting (Officer Assignments) 16 Nov 2017
- e. Newsletter dates – For 2017, Jan 25, May 25, and Aug 10
- f. Water Town Hall Meeting – Feb 28

C. Treasurer

1. November Financials

Shurgot moved to approve. Motion seconded and approved unanimously.

II. Director Reports

A. Common Areas

1. Update on Trail Maintenance

Staffieri met with Redstone and inspected the trails there are three items that still need to be fixed:

- a. Culvert by Prairie Winds School
- b. Culvert off of Archers
- c. Kershaw where new construction has disrupted existing trails

Redstone representatives are going back to fix and take care of these items. Also outstanding is the replacement of a trail bridge on Kings Deer Point. Board members were complimentary of the work Redstone is doing.

2. Update on Wall Repair Along Highway 105

Work on the wall is complete.

3. 2017 Contract Changes for Common Area Maintenance

Staffieri will meet with Landscapes Unlimited to update the existing contract that will include some additional line items. Costs may go up slightly as a result.

B. Architectural Control Committee

1. Approval of Committee members and Chairman

Snelling stated that there three new construction projects, Snelling moved for Board approval of the following individuals as part of the ACC for 2017:

- George Panoncillo (Chairman)
- Kris Salo
- Carol Groesbeck
- Vern Kuykendall
- Allen Alchian and
- Dan Snelling (Board Liaison)

Motion seconded and approved unanimously

C. Water Resources Committee

1. **Minutes from the WRC Meeting**

Rivers stated that they were still waiting for one more committee member to review the minutes.

2. **Review of Proposed KD-PDWC Agreement**

Rivers requested feed-back from the Board members on the information received by email and Board packet. The background report was very informative and should answer a lot of questions asked by residents.

Rivers handed out a summary with 5 high points:

1. PDWC to offer Units directly to all KD lot owners on fixed introductory terms:
 - 1.1 If insufficient Units available, a second decree will be filed on same terms
 - 1.2 After initial purchase period, some residents may buy more units
 - 1.3 PDWC to handle all administrative actions
2. No charge or impact to KD HOA as a whole:
 - 2.1 PDWC to deed required “deep” augmentation water to KDHOA free of charge
 - 2.2 KDHOA may assess one-time and annual charges to those who buy water.
3. Lot owners that decide not to buy to incur no charge or impact.
4. PDWC to handle the legal process for the proposed new decree:
 - 4.1 Drafting to begin only after KDHOA gives written approval
 - 4.2 Filing with water court only after KDHOA gives written approval
 - 4.3 Some issues outstanding: 100- or 300-year water? KDHOA objector status.
 - 4.4 Any PDWC-KDHOA dispute subject to shared-cost mediation or arbitration.
5. Next steps: Meet with HOA attorney, declarant representative, and final draft to PDWC.

Discussion ensued about the issues including introductory time frame, covenants vs water rights (HOA Attorney), additional augmentation, change to covenants that captures the augmentation language.

Rivers to take-action and draw up a buyer agreement with the WRC for presentation to Board at their January meeting.

3. Town Hall meeting on water for Kings Deer Residents

The meeting is scheduled for February 28, 2017 @ Prairie Winds Elementary 7 -9PM

D. NEPCO

Shurgot and Willis provided information on activities associated with the Kings Deer HOA. There was some discussion regarding road projects in Northern El Paso County.

III. Executive Director

1. Change Storage Unit

Wasson researched the new storage facility at Jackson Creek to determine if the HOA could save money over current rental storage. The Board decided the savings was minimal and would likely increase after the first year. Hazuka moved to disapprove. Motion seconded and disapproval was unanimous.

2. 2017 Annual Assessment

Assessment notification letters were mailed out December 6, 2016. The HOA has received 78 payments as of December 15th.

3. Suspension of Covenant Parking Enforcement

Board approved a suspension of covenant enforcement of parking violations until January 2, 2017. This is to accommodate holiday guests and children returning from college.

IV. Other

1. Board Consultant

Hazuka moved to retain Alchian as a Board consultant. Motion seconded and approved unanimously.

2. 19712 Falcon Crest Court, Lot 9 Highlands filing 1 – Fence

Snelling moved to approve the removal of the fence by 12/31/2016 and as of January 1, 2017 if the fence has not been removed, there will be a \$50.00 fine per day until done. Motion seconded and approved unanimously.

3. 18025 Archers Drive, Lot 1 Classic filing 5 - Water Meter Reading Fee

Hazuka recommended removal of the fine this time and stated that the Board would not be so lenient in the future. Motion seconded. 1 disapprove 6 approve, Motion was approved.

4. 19610 Rathbone Circle, Lot 13 Highlands filing 1 – Requested Board meeting

Homeowner did not attend the December 15 Board meeting.

Snelling moved to adjourn at 7:48PM. Motion seconded and approved unanimously.

Next Board meeting is scheduled for January 19, 2017 @ 5:30PM King's Deer Golf Club.

Joe Willis, President King's Deer HOA

James Hazuka, Secretary King's Deer HOA

Attach:

1. November Financials
2. WRC minutes
3. PDWC Agreement
4. WRC report