



Board of Directors Minutes

March 21, 2012

Members Present: John Highhouse (President), Rich Paul (VP and ACC), Allen Alchian (Secretary and Water), Penny Dyer (Asst. Treasurer and Common Area Maintenance), Vern Kuykendall (NEPCO)

Meeting brought to order at 5:06 PM. Hearings brought to order at 5:07 and adjourned at 5:09. Meeting resumed at 5:09 PM

I. Record of Previous Board Action

- A. February 15, 2012 Board Meeting Minutes were unanimously approved as revised, by email vote on February 20, 2012, on a motion from Alchian.

II. Officers' Report

A. President

1. Delinquent Account Options. Wasson handed out a copy of the HOA attorney letter for reference to different collection options for unpaid assessments and fines. Highhouse recommended the directors utilize this guidance in future decisions on how to handle situations in which owners become persistently delinquent in their financial obligations to the HOA. (Letter attached.)
2. Golf Course Discussions. Highhouse, Paul and Alchian met with the co-owner and general manager of the King's Deer and Monument Hill golf courses to open lines of communication between the HOA and the management of our local golf course. Discussions covered a variety of common interest topics.

B. Vice President

1. Pine Beetle Inspection. The Board confirmed the annual pine beetle inspection will be done this year, most likely in April. Wasson is to contact the Forest Service to get available dates for the inspection.
2. White Cliff Pond Signage. The board reviewed a concern of a resident adjacent to the golf course pond about people approaching the pond and trespassing on private property. The board noted that many King's Deer residents do not realize the pond at White Cliff is golf course property, not open to public access, and it is not the pond owned by King's Deer HOA. Alchian moved to have the HOA place two signs along White Cliff Way to identify the pond as being golf course property. Motion seconded and approved by four directors with Dyer abstaining.

C. Secretary

1. Annual Director Election and November Membership Meeting. Alchian distributed a proposed schedule of tasks leading to the annual membership meeting and director election. He asked all directors review it for discussion at the April board meeting.

D. Treasurer

1. February Financial Report. Dyer reviewed individual line items. Alchian moved to approve financials. Motion seconded and approved unanimously. (Report attached)
2. 2012 Annual Assessment Payments. Twelve annual assessments for 2012 are delinquent.
3. Delinquent Accounts Review.
 - a. The owner of lot 22 King's Deer Subdivision filing 4 and the owner of lot 11 King's Deer Highlands Subdivision filing 2 have both been non-responsive to the many invoice mailings, notice of lien, and most recently the HOA attorney's "demand for payment"

letter. Therefore the board unanimously approved directing the HOA attorney to file suit against these two delinquent owners.

- b. Owner Request From Financial Penalty. An owner who has been in arrears in payment on two properties submitted a request for relief of financial penalties on delinquent payments for the two lots. After reviewing the circumstances the Board agreed this was a unique situation and not just a case of financial difficulty that is unfortunately fairly common now to many King's Deer owners. However, the Board will require that the owner pay all actual expenses and assessments due to the HOA, and about a third of the accrued late fees and interest charges according to a specified schedule. If the owner agrees to this settlement and makes payments as specified, the Board will forgive the remaining late fees and interest charges upon final payment. Motion was by Alchian; seconded and approved unanimously.

III. Directors' Reports

A. Common Areas (Report attached.)

1. Missing Pond Trail Sign. The sign and post along Archers Drive that designates the location for parking to access the pond has been removed. Dyer moved to replace missing sign. Motion seconded and approved unanimously.
2. Common area maintenance activity over the past month includes installation of the refinished "King's Deer" sign at Roller Coaster and Hwy 105, and a light pole repair at Roller Coaster and Trumpeters.
3. Pending common area maintenance activities include resurfacing the sports field drive and parking area, refurbishing the electrical panel for the pond mechanicals, and installation of the pond fountain.

B. Covenant Enforcement

1. Covenant Enforcement Oversight Committee. Alchian reported the CEOC reviewed three new violations; one was tabled, one closed, and one has advanced to a second notice and hearing. Among the five previously active violations, the committee closed two as resolved and tabled three to await results of pending actions.
2. Committee Membership: Grace Highhouse has submitted her resignation due to her inability to attend the CEOC meetings at this time; resignation accepted. This brings the CEOC membership down to only three. However, two new members are pending: Cindy Fenton and Vern Kuykendall. Both attended the March CEOC meeting and both are expected to attend the April meeting in order to become appointed as full voting members.

C. Architectural Control Committee.

1. Paul reported the February 23 ACC meeting was cancelled due to inclement weather. At the March 7 meeting one new home construction was approved, a snow fence was approved for five years, and an outdoor gas fire pit was approved after the design was reviewed and accepted by the fire marshal. The committee granted a 60 day extension to a new construction start date, and approved removal of many diseased (mistletoe) trees at 18517 Wetherill Road which will be very evident to drivers along Roller Coaster Road when the infected trees are removed.

D. NEPCO (Report attached)

1. NEPCO's Land Use Committee reported some of the results of the recent presentation on upgrades of the Highway 105 Corridor project. They also mentioned the plans to develop Copper Ridge near North Gate Blvd which will include a Bass Pro Shop.
2. Kuykendall synopsized the feature presentation by representatives of the Colorado Oil and Gas Association. The presentation presented a description of their drilling processes and how it affects the environment.

3. The May 12 NEPCO meeting is scheduled to feature State Representative Amy Stephens providing an update on legislative issues of local interest. NEPCO meetings are open to all members of King's Deer HOA to attend. They are typically the second Saturday of each odd-numbered month, starting at 10 AM at the Monument Town Hall.

E. Neighborhood Watch

1. Kuykendall reported recent damage to solar lights in the area of Prairie Winds Elementary School. Otherwise, pretty quiet.

F. Water Committee.

1. Alchian reported the committee has met three times since the last Board meeting. The present task of the committee is to develop a Request for Proposal for a study to determine the optimal solution to King's Deer's future water augmentation requirements.
2. Once the RFP is drafted, it will then be reviewed by a King's Deer resident volunteer whose profession is working with RFPs. The board agreed that if the RFP is then ready to submit for bids, a lawyer will first review the document to ensure all necessary contractual elements are in place.

G. Sports Field Use

1. Kuykendall has had some discussions with an individual who has inquired about reserving the sports field. At present, no realistic method has been identified that can provide a reliable reservation system. Also, if the HOA charges for sports field use, the HOA encounters liability issues. The directors unanimously agreed to terminate further research into ways to control use of the sports field and to continue to follow the past practice of just publicizing its use is for King's Deer members, it is available on a first come first served basis, and there are no implied exclusive-use privileges.

H. Executive Director

1. Wasson reported three King's Deer properties changed ownership since the last Board meeting.
2. Wasson reported that the annual Community Association Institute Law Day seminar is Friday, May 11. The directors agreed this would be an excellent meeting for her to attend. The office will therefore be closed that day.

IV. Hearing Results

A. 735 Trumpeters Court (Lot 3 Classic Filing 2) – Pickup Camper

1. The camper was removed after the second notice of violation and a notice of a board hearing was sent to the owner. Because two notices were sent to the owner before resolution, the Board agreed to impose, without further notice, a standing \$50 fine for each day the violation occurs in the future, and to close this violation as presently resolved.

At 8:08 PM Alchian moved to adjourn. Motion seconded and approved unanimously.

/ signed /

John Highhouse, President

/ signed /

Allen Alchian, Secretary

Attached:

1. Attorney Letter on Delinquent Account Options.
2. Financial Report
3. Common Areas Report
4. NEPCO Report
5. Collection Options from HOA attorney