



# Newsletter

October/November

2009

Fall Issue

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## NOTICE: ELKHORN PROPERTY OWNERS

A lot has transpired since our last newsletter; we have a serious situation concerning our water storage rights and in preparation of seeking a remedy to the problem, the Board voted to reallocate a larger portion of our dues to water augmentation, consequently we must curb spending in other areas of the budget. The most predominant savings and the least necessary budget item is the catered picnic therefore the Board voted not to have an annual catered picnic.

The annual meeting of the members has been moved up to coincide with our fiscal year which means elections have also been rescheduled to coincide with the annual meeting, the venue for the meeting has also changed.

We have had four Board meetings since the last newsletter, the articles in this newsletter will explain the important issues that have been addressed by the Board, the complete minutes of all our meetings are posted on the Elkhorn website at [www.elkhornowners.org](http://www.elkhornowners.org) or you can request a copy by writing to EROA, PO Box 106, Como CO. 80432-0106.

Again, a lot has transpired and more data on these items as well as other important information will be disseminated throughout this newsletter. PLEASE take the time to review the happenings in the Elkhorn and the actions of the Board; we would appreciate your feedback

## 2010 DUES

Our 2010 dues notices will be mailed out in February; payment is due on or before April 1, 2010. After May 1, 2010 a \$10.00 late fee will be added to all outstanding balances. In the past the late fee for multiple lot owners was \$10.00 regardless of how many lots you were behind payment on, beginning with the 2010 dues the late fee will be \$10.00 per lot. A larger portion of the dues collected are being allocated to the designated water fund, more information on this is available in the article on water augmentation.

## BOARD OF DIRECTOR MEETINGS

The EROA Board of Directors would like to encourage more member participation, this is your association and the board meetings are the place for you to voice your opinion, submit your ideas, and otherwise interact with your elected officials. In an effort to improve member attendance the Board has decided to try holding their meetings in a public venue instead of a private residence, we want everyone to feel comfortable in attending these meetings. The January 9, and March 27, 2010 meetings will be held at the Jefferson Community Center; for those of you that may have attended meetings there in the past, they have just installed a new heating system so it should be warm and much quieter.

All meeting agendas will be posted on the website, we are trying for at least one week in advance of the meeting. We will post any change in time or place as soon as we are aware of it. In addition to posting these on the website, we will inform you through email if you have provided us with an email address.



**VETERANS' DAY**  
November 11  
*If you love your freedom  
Thank a Vet*

## ELECTION – BOARD OF DIRECTORS

At the 2009 annual meeting it was voted to change one bylaw and that was to have members submit their name to run for office on or before forty five days before the election which is always held at the annual meeting. This will allow enough time to print, mail and receive ballots before the meeting. HOWEVER, this ballot change is only advantageous if we have members willing to serve on the Board! Due to the resignation of one board member, there will be three positions to fill at the next election and to properly represent the entire membership the Elkhorn needs a full, diverse Board of Directors. It is not necessary to live in the Elkhorn full time to hold a position on the board, as long as you are an Elkhorn property owner with your dues paid to date and are willing to attend quarterly meetings, you are qualified. Please consider serving a term, it would be wonderful to provide our members with a choice at the next election and adding new personalities to the Board offers fresh ideas and a different point of view.

Due to scheduling the annual meeting earlier this year we will need to have our candidates announce their intent to run by February 11, 2010. If you would like to be a candidate for the EROA Board of Directors, mail your name, contact information and lot number to EROA, PO Box 106, Como CO. 80432-0106 or you can email the information to mail@elkhornowners.org, make sure it's clear in your correspondence that you are a candidate for the Board. We are less than three and a half months away from printing ballots, so now is the time to step up and get your intent to run for office in early. If you want more information, call or email any Board Member, we can actually have an election this year if a few good members will get involved.

## TRESPASSING

It has been brought to the attention of the Board that there are EROA members using other members property without permission, just because a property is not fenced or posted no trespassing does not mean it is open for public use. All property in the Elkhorn with the exception of the picnic area is privately owned; hiking, biking, driving, etc. on other people's property is considered trespassing and is against the law. Please, if you are encroaching on your neighbor, taking shortcuts through someone else's property or in any other way trespassing, now is the time to stop these practices before the Sheriff's Department becomes involved. Every property owner will be able to enjoy the peace and beauty of the Elkhorn if we all respect the rights of our neighbors.

## ANNUAL PICNIC

As you now know, there will no longer be a picnic combined with the annual meeting nor will there be a catered picnic at any time. This year's attendance was less than 100 people, less than forty bylaw ballots were voted and the cost for the picnic was \$2,379.00. The Board feels it is fiscally irresponsible to use \$22.00 per attending couple of their \$25.00 dues on a picnic while non attending members' dues pay for the business of the Elkhorn. If a couple with children attended, the general fund paid the difference, if a member wanted to bring other family or friends, it cost extra, it was an unfair practice all the way around. It is necessary for the Board to prepare for anticipated as well as unforeseen fiscal responsibilities and we are trying to do so without raising dues, we apologize to those that look forward to a catered affair.

Next year we will be sponsoring the annual members' picnic on July 3, 2010. This is the picnic where the Elkhorn provides the main course and everyone else brings a dish to share; there are games, drawings and prizes for all ages and there is no business to get in the way of the fun. There's also no extra charge if you choose to bring guests. More information will be provided in the spring newsletter.

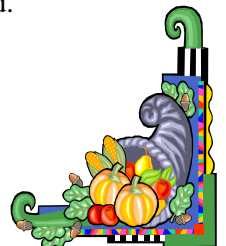
## CHANGE OF ANNUAL MEETING

The annual meeting has been scheduled for March 27, 2010 at 10:00 a.m. at the Jefferson Community Center. The Board is aware that catering the meeting/picnic over the July 4 weekend has become a long standing tradition but there are mitigating circumstances that require us to do away with this tradition.

In compliance of state law, the membership must receive the proposed budget within 90 days of adoption giving the majority of the membership the right to veto said budget at the annual meeting; conducting the annual meeting in July had the Board spending three months into a new budget before the membership ever saw it. You will now be receiving the annual budget along with the election material.

This is an annual business meeting mandated by state law and our bylaws; we would like to see more of the membership becoming involved in the business matters of the Elkhorn. A fiscally responsible social event will still be offered over the July 4 weekend.

*Happy  
Thanksgiving*



## FISCAL RESPONSIBILITY

The members of the Board would like you to know that during these hard economic times it is understood how important it is to live within the budget and with so many unknowns concerning the water situation, staying focused on saving wherever possible is top priority. With more than \$3,000.00 extra per year being designated for water augmentation, budgeting for the necessities is going to be tight; the frills will have to wait.

At the next meeting we will be asking once again to change a bylaw, the state requires us to have a financial review every two years; our bylaws require it yearly. We have an opportunity to save \$400.00 every other year by changing to the state mandate. The books are always open to review by any EROA member and to keep you up to date, the financials will once again be posted on the website after adoption of the 2010 budget.

## ELECTRONIC NEWSLETTER

We would like to electronically deliver the newsletter to as many of our members as possible. This not only saves money on postage, ink and paper, it saves time for the volunteers that produce and distribute the newsletter. When you provide the Elkhorn with your email address it will be used for official Elkhorn business only and will never be shared with anyone. We will not inundate you with trivial matters; you will receive the two newsletters, the meeting agendas, event reminders and information that the Board deems important to the membership. If you are willing to accept your newsletter electronically and have not yet provided us with your email address or need to update the one we have, please send it to Denny Nall at [djnall@djnall.com](mailto:djnall@djnall.com). Denny, our webmaster is responsible for sending out the newsletter and other emails as directed by the Board.

## MAIL & EMAIL

The Board has re-implemented the use of the email address [mail@elkhornowners.org](mailto:mail@elkhornowners.org) and the use of the official mailing address of EROA, PO Box 106, Como CO 80432. When official Elkhorn business is directed to a single Board members private residence or email address, too many notifications must be sent when those addresses are no longer valid. The Board also wants to be assured of all correspondence being directed to the appropriate officer in a timely manner. Please do not misinterpret this; if you have a complaint, question, suggestion etc., you are always welcome to communicate with the Board Member of your choice.

## WATER AUGMENTATION

At this time there is not much progress in the ongoing saga of water storage rights and reservoir maintenance responsibilities between the Elkhorn and Jim Campbell. After spending a little over \$10,000.00 in attorney fees for Toussaint to draw up an agreement concerning the reservoir, we have more questions than answers and Mr. Campbell has refused to sign the agreement. The Board is actively seeking other remedies; it could be very detrimental to the Elkhorn if we do not find a solution.

For those unfamiliar with water augmentation here is a short, very simplified explanation of a very complex program. For a subdivision with lots of less than 35 acres each to be allowed to drill individual wells, the subdivision must own water rights to replace the amount of water that the wells will remove from the ground. The Elkhorn has legal decrees from a water court stating the amount of water we own and are able to store. We store this water in a reservoir to release in the spring and fall when someone with senior water rights needs the water. How much of our water we release is based on how many dwellings with operating wells we have at the time. We own the water; our problem is with the storage rights. Our water is stored in Tarryall Ranch Reservoir which we share with Indian Mountain and Indian Mountain Corporation (Mr. Campbell), any agreements concerning the reservoir that were in place when they received our water decrees at the conception of our subdivisions are nonexistent. Our rights concerning the reservoir are what we are trying to determine, the future of our wells depend on it.

In preparation of future costs concerning our share of the operation, maintenance and repairs of the reservoir as well as any legal fees arising from the pursuit of a solution to this long standing quandary, the Board voted to allot 30% of all dues collected to be used specifically for water augmentation. In the past it has been \$3.00 of each \$25.00 assessment, the 30% will equal \$7.50 per each \$25.00 assessment, should dues ever go up, so shall the designated water augmentation appropriations. We can think of nothing more important to the Elkhorn than preserving our water rights and protecting our entitlement to well permits.



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To all our members who enrich our lives  
with varied traditions and cultures  
Merry Christmas, Happy Hanukkah  
Season's Greetings  
and a Happy New Year!

## THANK YOU

There has been a very noticeable decline in instances of dogs running loose in the Elkhorn and the present Board is not aware of any complaints. For all of the responsible pet owners that responded to our plea of not allowing your dogs to run loose, your cooperation is greatly appreciated, thank you and keep up the good work.

## BURN PIT & BURN PERMIT

The burn pit in Indian Mountain is available for EROA members use, it is to be used for wood products only; no furniture, trash, paper, metal etc., a complete set of rules are posted at the pit, please follow them so we may all continue to use the facility. In order to use the pit you must get the gate lock combination from the Jefferson/Como Fire Department.

If you wish to burn anything on your property other than a small contained campfire, you must have a burn permit which you can obtain from the Jefferson/Como Fire Department. Any fire larger than a small campfire must be called in before it is started; you should get the information when you get your burn permit. Before any fire, including a small campfire, always check for fire bans.

## HUNTING / SHOOTING

Remember, there is no hunting or discharging of a firearm allowed in the Elkhorn. Should you witness anyone engaging in either of these activities, call the Sheriff's Department immediately. Not only does this harass the wildlife and disturb the residents, a stray bullet can prove fatal; let's be safe, not sorry.

## NEW COMMITTEES

Our newest committee member is Betty Kratky, she volunteered to become the Welcome Committee (a committee of one). Betty and her husband Kevin bought a home in the Elkhorn two years ago; soon they will be full time residents.

Appointments to the Election Committee are in progress, if interested in serving on this committee please call Deb Van Gundy or email us at mail@elkhornowners.org.



## OUTDATED COMMITTEES

In order to get the budget planned, adopted and to the members before the annual meeting the entire Board will be involved in the budget process, therefore there will no longer be a Budget Committee.

There is no longer a need for a Neighborhood Watch Committee, Rhonda Garrett did an outstanding job setting up the program in July 2005, Georgia Comstock took over in late 2007 and has replenished the supplies, there is really nothing more for a committee to do. The program is still an ongoing program, if you see someone breaking the law or a suspicious incident in progress call 911, to notify the Elkhorn of these events, call Terry Shumaker, our security patrol.

No longer providing a catered annual meeting and the members' picnic being the only social event at present, there is no longer a need for a Social Committee; Ann Bridgewater was appointed to chair this committee in October 2005. For now, as the Board sanctions an event in the Elkhorn they will appoint a coordinator to oversee each individual event.

We would like to give a very special thank you to the EROA Members that have given their time so freely to chair or serve on these committees; their service has been greatly appreciated.

## MEMBERS' POTLUCK PICNIC

The weather was actually nice for the members' potluck picnic that was held over Labor Day weekend this year, the 75 +/- attendees all appeared to have a good time. Earlier in the week Denny Nall and Tom Sallee took machinery over to clear and level an area for a volleyball court which turned out to be a pretty popular spot, teams were on the court most of the day. The children's games never really got started; everyone was too involved in the bingo game Jean was running, including the kids.

Denny Nall, Don Van Gundy and Kevin Kratky grilled some pretty good burgers and hot dogs and the attending members contributed plenty of tasty dishes. Betty Kratky, Jack Kramer, Bruno Huber and Deb Van Gundy all pitched in to help out where needed; it was a very pleasurable event. There was one complaint (mine), the food was set up so everyone was forced to pass a row of delicious desserts before getting to the main dishes, and needless to say there was at least one person who wasn't too hungry by the time she got to the burgers.

JoAn Nall and Jean Kramer were responsible for planning and implementing this picnic, as usual they did a bang up job and their dedication to the members' picnic is much appreciated.



FAIRPLAY HOLIDAY BAZAAR

Mark your calendar, the annual Fairplay Holiday Bazaar will be held at the South Park High School Saturday, December 5<sup>th</sup>. If you're looking for holiday decorations, gifts or something special for yourself, this is the marketplace for you. For those of you that like to decorate a live tree at Christmas, consider buying your tree at the bazaar; they will be freshly cut on the 4<sup>th</sup> and all proceeds benefit Rocky Mountain Rural Health, now that's definitely a win-win situation!

**EROA BOARD OF DIRECTORS**

[mail@elkhornowners.org](mailto:mail@elkhornowners.org)

- President* Debbie Van Gundy 719-836-3646  
[d.vangundy@wildblue.net](mailto:d.vangundy@wildblue.net)
- Vice-President* Art Burnham 303-424-4871  
[daburnham@q.com](mailto:daburnham@q.com)
- Secretary* Cindy Gharst 719-836-3209
- Treasurer* JoAn Nall 719-836-1993  
[djnall@djnall.com](mailto:djnall@djnall.com)
- Member-at-Large* Bruno Huber 719-836-0410
- Member-at-Large* Currently Vacant

**OTHER**

- Security Patrol* Terry Shumaker 719-836-3555
- Architectural Control* Art Burnham 303-424-4871  
Terry Shumaker 719-836-3555
- Web Page* Dennis Nall 719-836-1993
- Maintenance* Terry Shumaker 719-836-3555
- Welcome Committee* Betty Kratky 719-836-7020
- Newsletter* Debbie Van Gundy 719-836-3646  
Dennis Nall 719-836-1993
- Web Page* [www.elkhornowners.org](http://www.elkhornowners.org)

**PARK COUNTY**

A list of the most commonly called departments and offices.

- Park County Government [www.parkco.us](http://www.parkco.us)
- Main Line (719) 836-2771
- Administration (719) 836-4201
- Animal Control (719) 836-4125
- Assessor's Office (719) 836-4331
- Building Dept. (719) 836-4256
- Clerk & Recorder (719) 836-4333
- Coroner (719) 836-4340
- County Attorney (719) 836-2771
- Commissioners (719) 836-4201
- County Court (719) 836-2940
- CSU Extension (719) 836-4289
- District Attorney (719) 836-2080
- Environmental Health (719) 836-4267
- Human Resources (719) 836-4217
- Human Services (719) 836-4139
- Library/Fairplay (719) 836-4297
- Motor Vehicle (719) 836-4333
- Public Health (719) 836-4161
- Road and Bridge (719) 836-4282
- Sheriff's Office
  - Emergency 911
  - Non-Emergency (719) 836-2494
  - Veterans' Affairs (719) 836-4168

**Other:**

- Jefferson/Como Fire Protection Dist.  
[www.jcfd.org](http://www.jcfd.org) (719) 836-3244
- Crisis Center (303) 838-7176
- CO Div/Wildlife (719) 836-2207
- Road Conditions (719) 836-4134
- U.S. Forest Svc. (719) 836-2031

*Enjoy your winter; hope to see you at the annual meeting in March.*