



# Newsletter

November

2010

Fall Issue

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*HAVE A SAFE,  
FUN WINTER*

## NOTE FROM THE BOARD OF DIRECTORS

This is the last newsletter of 2010 and it includes information on events and Board decisions that have already taken place as well as notice of future happenings and upcoming Board deliberations. A well informed membership is essential to the efficiency of the Board to govern the affairs of the association. We do not have many members that attend our meetings which make the newsletter and website the only way to disseminate information that affects each and every property owner. It takes time and money to produce a newsletter and at the recommendation of a number of members, we have removed advertising and superfluous articles from it in order to provide an efficient, cost effective way to provide our members with information. Please, if you have not signed up to receive your newsletter electronically and you have that capability, send your email address to [mail@elkhornowners.org](mailto:mail@elkhornowners.org) and we will send you a link to it as soon as it is available. We will keep your email address private.

## ANNUAL DUES INCREASE

We reported the dues increase and the change in our billing cycle in the spring newsletter, this is just a reminder. Read more info under the by-law change.

The annual dues have been increased to \$40.00. Your notice will be mailed out on or about March 20<sup>th</sup> and your dues are payable on April 1<sup>st</sup>. Dues unpaid on May 1<sup>st</sup> will be assessed a late fee of \$10.00 per lot. For those members that travel or otherwise do not receive their mail in a timely manner, a dues payment form will be available for downloading at [www.elkhornowners.org](http://www.elkhornowners.org).

## FYI ON YOUR WATER WELL

As you may be aware, the Board has been working on our Water Augmentation Plans and one item we can't fix is the ownership name on your well. It is the responsibility of the buyer to submit paperwork to the State Engineer transferring the ownership of the well on your property to you. If you have purchased property with an existing well, more than likely the well has not been transferred to your name. Several wells have been identified as being in the original property owners name or even the contractor's name. You also need to submit current information when you change your mailing address.

Go to <http://water.state.co.us/home> to search for the information on your well permit if you don't have it. This site is also where you can print the form and instructions you will need to file for the change of ownership on your well. Click on "Application Forms" in the box labeled Popular Resources, and then on "Change of Ownership Filing" in the box labeled Popular Forms and Guidance, then click on "Form No. GWS-11 Change of Ownership".



**HAPPY HOLIDAYS**

## ILLEGAL ACTIVITIES AND CRIME

We had a problem with four wheelers and dirt bikes in the Elkhorn this summer. Property owners had various complaints including riders traversing on private property and running the roads in the middle of the night. Due to separate complaints from an assortment of property owners in different areas of the Elkhorn, an all-inclusive solution was decided upon. Where the specific offenders were known, they were contacted directly through a letter from the Board. To address unknown or unresponsive offenders, the Board contracted with the sheriff's department to have officers that wanted extra duty to patrol the Elkhorn. Deputies patrolled the Elkhorn for two four hour shifts in August and three shifts over Labor Day weekend.

We had an incident of unlawful trash dumping on private property in the Elkhorn; the responsible party was identified and charged. We appreciate the attention the sheriff's dept. gave to this case.

The Board was informed recently of a reported break-in in the Elkhorn. Thanks to an attentive neighbor that noticed a door standing open, the police were called immediately. A friend of the owner checked on the property after the police left and reported nothing seemed out of place. There will not be any details until the owners return.

At the January 8, 2011 meeting the Board will discuss the possibility of budgeting for intermittent police patrol for the coming year. We will weigh cost against desired results, specifically if noticeable police presence would be an effective deterrent to illegal activity. Anyone caring to be heard on this matter should either attend the meeting or write/email the Board.

## ANNUAL MEETING

The next annual meeting of the EROA will be March 26, 2011 at 10:00 a.m. at the Jefferson Community Center; the Board is encouraging more member participation in the annual meetings. You will receive a mailing early in 2011 consisting of a proposed 2011 budget, ballots, and a proxy. If you will not be able to attend, please fill out and **return your proxy**, they are usually necessary to obtain a quorum in order to conduct business at the meeting.

## THANK YOU - LOST PARK BUILDERS

Out of concern for the vehicles and the safety of our members, the Board allotted \$400.00 to repair the steep dip in the driveway at the entrance of the restrooms/parking area to be completed before the members' picnic on July 3<sup>rd</sup>. Due to a last minute scheduling conflict, the original contractor could not do the job so Don Van Gundy of Lost Park Builders brought over the necessary equipment and an employee to help Terry (maintenance) get the hazard removed before the picnic. On behalf of all EROA members that use the common area, the Board would like to thank Lost Park Builders for getting the job done.... and a very special thank you for providing the service free of charge.

## MEMBERS PICNIC

The member's picnic was held July 3<sup>rd</sup> with 80+ people in attendance. Once again Jean Kramer did an excellent job coordinating the entire event. We would like to thank Jean & Jack Kramer, Tom Salee, Bruno Huber, JoAn & Denny Nall, Betty & Kevin Kratky, Terry Shumaker, Steve Howbert, Dave Drake and Debbie & Don Van Gundy for their help making this fun event such a success.

If anyone is interested in helping Jean with the coordination of the picnic for 2011, please contact her at 719-836-4460.

## BY-LAW AMENDMENT

You will be receiving a ballot asking you to amend the bylaws to include the permanent creation of a water fund that is to be accounted for separately from the general fund. We are also asking to specify 33.3% of all yearly dues collected be allocated to the water fund and that any distribution of monies from this fund that is **not** directly related to enforcing the terms, conditions, operation and maintenance of the water augmentation plans **must** be approved by a vote of the members.

It is imperative that the Elkhorn protect the water rights of the members and to do that we must comply with the court ordered water augmentation plans. It is necessary to begin budgeting for a share of the general operation and maintenance of the reservoir as well as preparing for future needs.

## OFFICERS & THE LACK THEREOF

Once again there appears to be no interest from any of our members in assuming the responsibility of serving on the EROA Board of Directors. It is understandable that our out of state members cannot commit to attending four meetings a year but those of you that either live in the Elkhorn, have a reasonable commute or have a home/cabin to stay in while here... what is your excuse?

Your current EROA Board believes that meeting decorum, open-mindedness and respect for the opinion of others is the only way to fairly represent all property owners in a subdivision with as many different land uses as we have in the Elkhorn. We have agreed to disagree without being disagreeable; we listen to the members and to each other and we make decisions by voting. The three year term is up for two members of the current Board and at this time both have declined to pursue another term, isn't there any of our members that feel they could be an asset to the Board of Directors under these circumstances?

Why is it important to have candidates for an election to fill the empty positions on a six member board? *PICTURE THIS: No one chooses to run for office so the remaining four directors must find someone to appoint to the two open seats. Next year no one chooses to run and the remaining four directors appoint two friends and the same happens the next year, you now have six handpicked friends running the association. Let's say these six friends are very like-minded and do not like campers so they pass a rule "no camping in the Elkhorn". These same six like-minded friends then decide that a fancy common building would be nice to have so they raise your dues to \$1,500.00 per year to pay for it (you should get the picture by now). Is it legal... read the by-laws and covenants so you can decide that for yourself however, once enacted how much time and expense (not to mention the frustration and headaches) will it take to prove whether it's legal or not? How much time and money would it take to get 2/3 of the membership to remove those six like-minded officers?*

*OR PICTURE: The four remaining board members cannot find anyone willing to step up and accept the appointment to the board, four board members constitute a quorum and it only takes three of those*

*to make policy so you now have three people making decisions for the Elkhorn.*

Your current water well and the issuance of future well permits is dependent upon the proper administration of our court approved water augmentation plans and it is the Board's responsibility to enforce the terms and conditions of said plans. Having a choice of candidates and maintaining a full six member board is vital to the welfare of the association and the members' property rights, apathy is not in your best interest!

Board of Director meeting dates are set as close to quarterly as possible with the first meeting being held immediately following the yearly members meeting in March, the board sets the date for the next three meetings at this time.

To be eligible to serve on the EROA Board of Directors you must be a property owner with all dues and assessments paid to date. If you are willing to serve you can become a candidate by contacting any board member, the election committee or by emailing the EROA at [mail@elkhornowners.org](mailto:mail@elkhornowners.org). Other contact information can be found on the last page of this newsletter.

## GAS WELLS

We have received emails concerning the drilling of test wells near the Elkhorn. El Paso Exploration & Production Co. has the mineral rights to 37,000 acres and they were issued a permit to drill three test wells. The County Commissioners held a hearing and found the permit issued adequately protects wildlife, water and air quality as to the three exploratory gas wells. The commissioners included a requirement for a more comprehensive study of water quality if natural gas is found in amounts that would make cost-effective the development of more wells. We will not know the future plans of El Paso until the exploratory wells are complete, should El Paso apply for a permit to drill working gas wells the Board will be diligent in their efforts to protect the Elkhorn.

The Fairplay Flume has been following the El Paso story pretty closely, for updates on this and other happenings in Park County we would like to suggest [www.theflume.com](http://www.theflume.com) for future news.

## BURN PIT

We are in danger of losing access to the burn pit in Indian Mountain; people have been using it as their own personal trash dump. Once again it seems as if a handful of selfish, irresponsible people will ruin a good thing for the majority. People have dumped everything from boxes and bags of trash to furniture and appliances. There will be a meeting of HOA Board members to discuss possible solutions; if this cannot be stopped the pit will be closed.

We are optimistic that our EROA members have principles and are not responsible for such a blatant disregard of rules and regulations. We are asking our members to take notice of anyone entering the burn pit with prohibited items and to contact us with their license plate number or a detailed description of the offender and the vehicle. We want to save access to the burn pit for those using it properly and with everyone's help, maybe we can.

## WEBSITE

We are in the process of providing the webmaster with everything needed to update the website. We are behind on posting current financials and minutes as well as the latest revisions to the bylaws. We will strive to have everything posted by early December.

We would also like to update the photo page. We would appreciate it if our members were to submit their photos depicting anything "Elkhorn" that may be of interest to the members of the association. Do you have photos of the members' picnic? How about nature and/or wildlife photos taken in the Elkhorn? Email photos to [mail@elkhornowners.org](mailto:mail@elkhornowners.org) and include information about each photo you send.

## NEWSLETTER EDITOR

We will continue to post all significant information such as minutes, financials, meeting dates and agendas on our website but we need the newsletter twice a year to provide other assorted information of interest and/or concern to members. In order to keep providing this service, someone will have to step up and take over as the editor of the newsletter. The spring 2011 newsletter will be the last one the current editor will produce, if you're interested in serving in this capacity please contact us at [mail@elkhornowners.org](mailto:mail@elkhornowners.org).

## **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  
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### *Secretary*

Cindy Gharst 719-836-3209

### *Treasurer*

David Drake 719- 836-2259  
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### *Member-at-Large*

Bruno Huber 719-836-0410

### *Member-at-Large*

Richard Schreiber 303-972-3795

## **OTHER**

### *Security & Maintenance*

Terry Shumaker 719-836-3555

### *Architectural Control*

Art Burnham 303-424-4871  
Terry Shumaker 719-836-3555

### *Web Page*

Dennis Nall 719-836-1993

### *Election Committee*

Jean Kramer 719-836-4460

### *Welcome Committee*

Betty Kratky 719-836-7020

### *Newsletter*

Debbie Van Gundy 719-836-3646

### *Web Page*

[www.elkhornowners.org](http://www.elkhornowners.org)



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[www.jcfdp.org](http://www.jcfdp.org) (719) 836-3244