



Newsletter

May

2010

Spring Issue

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Your email address will remain confidential*

NOTE FROM THE BOARD OF DIRECTORS

Once again we have initiated changes that will affect the entire membership; we hope you will take the time to read through this newsletter so that you are up-to-date on everything that has transpired. We will be putting our governance policies into effect which may include fines for covenant violations and we will be raising the annual dues. You will find more information on these items and other changes throughout this publication; we want all EROA members to be well informed of the actions taken by the Board on behalf of the association.

ANNUAL MEETING 2010

To everyone that either attended the meeting or responded with your mail-in ballots and proxies, thank you. When the Board chose to comply with state law by scheduling the business meeting *before* administering the budget and not to cater the affair, attendance was expected to drop... it did. It is now imperative that those members unable to attend the annual meeting assign their proxies to someone in attendance, a friend, neighbor or a trusted Board member because a quorum in person and by proxy is required to conduct business. Your proxy counts!

Art Burnham was reelected to the Board of Directors by candidate submission in February; he will serve another three year term. At the annual meeting two members accepted the responsibility of serving on the Board, Richard Schreiber will be filling the two year term as member at large and David Drake will fill the three year term. David will become the new treasurer.

Ballots were mailed to vote for amending the bylaw that required us to have an annual financial review by a CPA to read the same as is required by the State of Colorado, the amendment passed with seventy seven yes votes and seven no votes. A policy for scheduling a thorough review by a CPA will be added to the governance policies.

MINERAL RIGHTS

There have been questions from members concerning a packet they received from El Paso E&P Company concerning their mineral rights. The EROA received one as well concerning outlot A, not everyone in the Elkhorn received a letter because not everyone owns their mineral rights. The Board chose to seek advice from an attorney, however not being an expert in the specialized field of oil and gas rights, his advice was limited (and free). He noted that the Elkhorn's interest in this Unit was pretty negligible in a 36,733 acre unit and suggested we not spend a lot of time or money on any analysis. The Board agreed and elected to maintain the rights and did not sign the document.

TRESPASS

Definition: to go onto somebody else's land or enter somebody else's property without permission.

All property in the Elkhorn is privately owned – property is not required to be posted for trespassers to be prosecuted – respect the law.

APPRECIATION

With appreciation and gratitude we say goodbye to a long serving board member, JoAn Nall. As a board member she was a great asset and performed her duties as treasurer admirably, she will be missed. JoAn requested we include the following statement in the newsletter so here it is:

THANK YOU

After serving as your EROA Treasurer for 7 years, I chose not to run for another term. I have had the opportunity to meet and correspond with so many of you and I will miss that. The cooperation and kindness I have received from the association members has made my position on your board a pleasurable one. I know that the two new members who have been elected to your board, Richard Schreiber and David Drake, will bring new ideas and represent all members of the EROA in a positive and productive way. I will continue with the Treasurer's duties until May 31st, while working with your new EROA Treasurer. Thank you for the confidence and trust you have given me for 7 years.
JoAn Nall

WATER AUGMENTATION

There is not much progress to report on this matter, the Board has engaged Buchanan & Sperling PC for legal services specializing in water rights. Ultimately, the EROA is responsible for the proper administration of the water augmentation plan, without which there would be no permits issued to drill wells in the Elkhorn.

The object of raising the annual dues is to afford the EROA's share of maintenance and repair of the reservoir and to be financially postured to contend with any future crisis that may arise. Ensuring the water rights of the Elkhorn are protected is quite possibly the most critical issue that will ever face the EROA; it is without doubt the most significant responsibility of the Board of Directors.

MEMORIAL DAY MAY 31ST



*A sacred day of remembrance
to honor those who paid the
ultimate price for our freedoms*

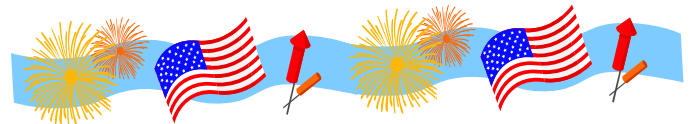
GOVERNANCE POLICIES & FINES

The final action required by the EROA Board of Directors in which to achieve full compliance with Senate Bill 05-100 is to ratify the association's Responsible Governance Policies. This document will include rules, regulations and procedures for governing the association.

One written policy required to be included in the governance policies is a section on enforcement of the covenants and rules, the Board felt this subject could get a little contentious and wanted to elicit input from the membership. This subject was on the agenda and discussed at the annual meeting with the members present expressing their approval to use fines as a penalty for noncompliance. Should the Board elect to adopt a fine schedule, there would be strict procedures in place for complaints, investigations, violation notifications, time to rectify the violation, etc., before a fine is assessed; liens would be placed on the property for nonpayment of assessments just as it is for nonpayment of dues. The Board will deliberate and could possibly vote on the governance policies at the July 10th Board meeting. If you would like to comment on this action but cannot attend the Board meeting, please put your comments in writing and mail them to the EROA, PO Box 106, Como CO, 80432 or email them to mail@elkhornowners.org. Please, no phone calls on this matter as every comment concerning this policy must be conveyed to the entire Board in its entirety and without interpretation.

MEMBERS PICNIC

The members' annual potluck picnic will be held on Saturday, July 3rd beginning at noon. The association will provide the hamburgers, hot dogs, condiments, chips and drinks; the members are asked to bring a side dish to share but it is not required. There will be games, prizes, drawings, good food and.... no business meeting! Jean Kramer has once again accepted the responsibility of spearheading this picnic so any questions you may have or if you would like to volunteer to help out, contact Jean at 719-836-4460.



VEHICLE COURTESY

Have you ever been driving along a dirt road and had a rock launched at you from under the wheel of the vehicle in front of you? Was it intense enough to chip your windshield? Can you possibly imagine your head or body being hit by one of these flying rocks? How about having a vehicle throw up a dust cloud so thick it left you blinded and coughing? Can you imagine how you'd feel standing on the side of the road in that dust cloud? With the change of seasons comes the necessity of sharing the roads, you're going to notice many more hikers, bikers and dog walkers in the Elkhorn as people flee the city for the peace, solitude and beauty of the mountains. When approaching a pedestrian, a bicyclist or any other non- motorized user of the road, **slow down**, a little courtesy towards others will ensure a safe, enjoyable summer for everyone.

RESPECT YOUR NEIGHBORS

Every spring the residents, part-timers and campers must readjust to sharing the Elkhorn with one another, respect and courteousness is the key to a harmonious co-existence.

Everyone must remember that the Elkhorn is a residential neighborhood; **ATV's and unlicensed vehicles on our roads are illegal** and objectionable to the majority of those living here. Riders need to show a little consideration for others and stop disrupting their Elkhorn neighbors by taking ATV's to public lands where they are legal. The majority of owners living or vacationing in the Elkhorn are here for the peace and quiet, to enjoy the wildlife and to get away from the offensive sights, sounds and smells of the city, please respect that.

33-14.5-108. Off-highway vehicle operation prohibited on streets, roads, and highways.

(1) No off-highway vehicle may be operated on the public streets, roads, or highways of this state except in the following cases:

- (a) When a street, road, or highway is designated open by the state or any agency or political subdivision thereof;
- (b) When crossing streets or when crossing roads, highways, or railroad tracks in the manner provided in section 33-14-112;
- (c) When traversing a bridge or culvert;

The above section is relevant to the Elkhorn, you can find the entire statute online at

<http://www.atvsafety.gov/legislation/Coloradolaw.pdf>

ANNUAL DUES INCREASE

Last year the board chose to allot 30% of the annual dues collected to the water augmentation fund in preparation of future maintenance and repair costs of the reservoir, at this time the Board feels this is not increasing our reserves fast enough; this was discussed with the members at the annual meeting. After considerable discussion and taking into account all input from the members in attendance, the Board voted to raise the annual dues to \$40.00 per year and to designate 33.3% of all dues collected to the water augmentation fund.

It is in the best interest of the Elkhorn to ensure adequate monies accrue in the water fund to fulfill our share of the water augmentation plan. Without the proper administration of the Elkhorn's augmentation plan, property owners would not be allowed to drill a well. What would your property be worth without water?

The Board would like the added assurance that in the future these funds will continue to accrue and spent only for the purpose in which they were intended, the water. Therefore, at the next election you will be sent a ballot to vote that our bylaws be amended to include a formal creation of the water fund separate from the general fund, that it be funded by 33.3% of all annual dues collected and that it require a vote of the members to spend monies from the fund on anything other than matters directly related to the implementation of the water augmentation plan.

DUES NOTICE CHANGE

Beginning with the 2011 billing, dues notices will be mailed out March 20th, payable on April 1st, and considered late as of May 1st, this allows thirty days to pay your dues before they are late. The object of changing the billing date is to more accurately depict our profit & loss statement by receiving payments in the first month of the fiscal year in which they are due. We do not foresee the later notice and shorter remittance time to be an inconvenience to anyone since this is an annual billing... please plan ahead.



SUMMER PREPARATIONS

Lots of sunshine and longer, warmer days is the first sign that it is time to get ready for the emergence of bears. As the bears come out of hibernation they will be hungry and on the prowl for food, be prepared.

We will be preparing the picnic area for use in the near future; it is available to all members and their guests. If you use the picnic grounds please remember to clean up after yourselves and haul your trash away.

Before building a campfire make certain there is not a fire ban in place and never leave a fire unattended. Before burning trash make sure you have a permit, have notified the fire department and never leave a fire unattended. Before starting any fire, for any reason, check for a fire ban, follow the rules and never leave a fire unattended. Be safe, not sorry.

IMPORTANCE OF PARTICIPATION

It is imperative that the Elkhorn operate with a full Board of Directors, the diversity represented by a full Board protects the membership from a few with biased opinions structuring the management of the subdivision. There are two vacated seats on the Board every year; members are always needed to run for these positions. It is also vital to vote on amendments and/or mail in your proxy when you receive them so please consider participating in next year's election. Whether as a candidate or a voter you must protect your right to representation and apathy is not in a property owner's best interest.

BOARD MEETING DATES

The Board wants to encourage more members to attend meetings and participate in the decisions made on behalf of the association, with this goal in mind permanent dates have been established for the quarterly Board of Directors meetings as well as the annual meeting. Hopefully the permanence of when and where the Board meetings are held will afford more members the opportunity to attend. A Board meeting will follow the annual meeting and all meetings will be at the Jefferson Community Center

2 nd Saturday in January	10:00 a.m.	Board Meeting
Last Saturday in March	10:00 a.m.	Annual Meeting
2 nd Saturday in July	10:00 a.m.	Board Meeting
2 nd Saturday in October	10:00 a.m.	Board Meeting

EROA BOARD OF DIRECTORS

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d.vangundy@wildblue.net

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Treasurer

David Drake 719- 836-2259
drakedm45@wildblue.net

Member-at-Large

Bruno Huber 719-836-0410

Member-at-Large

Richard Schreiber 303-972-3795

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Terry Shumaker 719-836-3555

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Dennis Nall 719-836-1993

Maintenance

Terry Shumaker 719-836-3555

Welcome Committee

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Newsletter

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