



Trailbikes, ATV's Prohibited

by Concerned Bent Tree Residents

The summer months seem to generate an influx of various off-road vehicles dashing across open fields and along wooded trails throughout Colorado. Although the operation of such vehicles gives pleasure to their drivers – often too young to own a driver's license – the vehicles are very often illegal and/or prohibited and unsafe.

Article 14 of the Bent Tree Protective Covenants states:

"No trailbikes, minibikes, motorcycles, all-terrain vehicles, snowmobiles, or other such noise causing vehicles shall be operated within BENT TREE other than on County roads and going to and from residences."

Furthermore, Colorado State Law stipulates (Drivers Manual, Article 7.6):

"Any motor vehicle owned by a Colorado resident cannot be parked or driven on a public street or highway unless it is properly registered in Colorado and displays Colorado license plates."

Since trailbikes, minibikes, and all-terrain vehicles are often not "licensable" (that is, they are not "road configured"), they cannot be operated in Bent Tree on roads by Colorado State Law or on trails by Protective Covenants. That's the law.

Apparently, some homeowners are ignorant of the laws and restrictions, or choose not to abide by them, and they authorize, or encourage, youngsters to operate off-road vehicles on our subdivision's thoroughfares and walking trails. Not only is this a violation, it is unsafe and imposes an unwanted liability on automobile drivers.

Every year thousands of young people are critically injured or killed in accidents involving off-road vehicles. Despite the false security offered by colorful protective gear – helmets and leg and arm guards – such equipment is no match for a three ton SUV moving at 30 MPH or faster. And if such an accident occurs, who will be held liable for the injuries inflicted on the youngster? The driver of the SUV. There are documented cases in El Paso County where kids on go-carts, trailbikes, or the like have darted into traffic and were hit by passing

motorists who were driving in a perfectly safe manner. However, the courts have more often sided with the victims and have awarded sizeable monetary settlements. No one wants to have to contend with the liability of loss of limb or loss of life of a young child – even though the child was at fault.

Please keep trailbikes and ATVs off the roads and trails in Bent Tree.

- They are prohibited by law.
- In many cases, they are unsafe.
- They present a potential personal liability.

*** Mark Your Calendar ***

The BTPOA 2001 Annual Meeting
will be held Sunday, September 9, 2001, 6:30 pm.
Two Board members will be elected. If interested in running, please call John Heiser at 488-9031.

Board Meeting Notes

by John Heiser

Since the prior issue of the *Bent Tree Log*, the Board of Directors held two meetings. Here are highlights of those meetings:

February 6, 2001

- Due to other commitments, Tom Hughes who was elected at the Annual Meeting last October resigned from the Board.
- A proposal from professional engineer Fred Ladd was reviewed. It proposed an engineering assessment and recommendations regarding the Bent Tree stormwater facilities (detention ponds and berms). Maintenance of these facilities is a BTPOA responsibility.
- The budget for 2001, totaling \$23,405, was reviewed and adopted. The top items were entrance, trail, and ditch maintenance (\$10,925); water augmentation (\$3,750); Forest Committee weed spraying, publications, and mailings (\$3,585); drainage facility inspection and maintenance (\$2,000); and newsletter, directory, and meeting notice printing and mailing (\$1,629).
- It was agreed to send an additional letter to the County requesting paving of Bent Tree cul-de-sacs.

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Board Meeting Notes

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- It was decided to research the possibility of having the Woodmoor Improvement Association (WIA) handle administrative tasks for the BTPOA.

May 20, 2001

- Bob Grieser was appointed to fill the vacancy left by Tom Hughes' resignation from the Board.
- Since Ron Britt has been President for several years, he wished to relinquish the post. John Heiser was elected as the new President of the Board. Chet Sulewski will continue as Vice President until his term on the Board expires at this year's Annual Meeting.
- It was agreed to hold the 2001 Annual Meeting on September 9th. The location is being researched.
- A proposal for property owner association insurance was reviewed. It was agreed to obtain an opinion from the BTPOA's attorney. [The attorney strongly endorsed the need for association insurance.]
- It was decided to form an Engineering Committee chaired by Bob Grieser to oversee the inspection and maintenance of the stormwater control facilities. Fred Ladd will be retained to conduct an engineering inspection in accordance with his proposal.
- Liaison responsibilities were set as follows:
 - Architectural Control Committee - Chet Sulewski
 - Beautification and Trails Committee - John Heiser
 - Covenant Compliance Committee - Chet Sulewski
 - Engineering Committee - Bob Grieser
 - Forestry Committee - Ron Britt
 - Water Augmentation - Ron Britt
 - Welcoming Committee - John Heiser
- John Heiser and Ron Britt reported that they held discussions with the Woodmoor Improvement Association (WIA) regarding using the WIA for administrative services. [It was subsequently learned that the costs for using WIA are prohibitive.]
- Ron Britt reported that weed spraying in past years has reduced the problem and suggested that property owners pay the cost of future weed spraying.
- The next Bent Tree Board meeting will be held at 7:30 am, August 27th at the Radisson on North Academy.

Forest Committee Update

by Gail Wittman, Forest Committee Chair

It's that time of year again when everyone is out and about their property and hopefully noting any problems. Dwarf Mistletoe is a concern for many, but there seems to be hardly any Mountain Pine Beetle sightings. Several

Committee members went to a seminar in May sponsored by the Woodmoor Improvement Association. There was lots of great information, as well as a field trip with members of the State Division of Forestry.

The Committee is always looking for concerned residents to get involved. If you have an interest or want to learn more, give us a call.

Thanks to several years of spraying the noxious weeds, we seem to be getting things under control. Committee members made an inspection of the most problematic areas, as well as the lots of the property owners who responded to our survey. Those owners were contacted and, as agreed, their lots were sprayed this year. Signs with the spray date were posted in advance.

This year, the Property Owners' Association will fund this service. However, the Board is evaluating whether the cost of spraying will be turned over to the property owners. As we all know, it is the owner's responsibility to help eliminate the noxious weed problem from their lot. This is part of the Bent Tree covenants as well as a State regulation.

Early next year, the Committee will again send out survey cards to all property owners to determine problem areas.

A special note to builders and contractors who own lots in Bent Tree: The Committee would be happy to inspect your lots to see if there are any problems, such as noxious weeds, Mountain Pine Beetle, etc.

If you have any questions or suggestions, please contact one of the Forest Committee members listed on the back of the *Bent Tree Family Directory*.

Neighborhood Notes

- **The Bears of Bent Tree** - At least two bears, yes bears, have been seen in Bent Tree. One was a juvenile the other one was an adult. Destruction of habitat and food shortages has driven them down from the mountains. It is important to keep trashcans and pets inside and alert your children to this additional danger. For the latest on this topic or to report a sighting, call Francy Lingel at 488-9031.
- **The Welcoming Committee** needs a co-chair. If interested, please call Sue Kilgore at 481-1154.
- **The Beautification and Trails Committee** desperately needs help locating someone to water the plantings at the entrances. If you have suggestions, please call Francy Lingel at 488-9031.

If you have questions or comments regarding this newsletter please contact John Heiser, Editor, (719) 488-9031, Fax (719) 488-3455, j.heiser@ieee.org.
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