



The Bent Tree Log

The Bent Tree Property
Owners' Association
Newsletter

January 2005

Volume 16, Number 1

2004 BTPOA Annual Meeting

The BTPOA 2004 Annual Meeting was called to order Saturday, September 18, 2004, at 2:15 pm. John Heiser, President of the BTPOA Board of Directors, presided.

Quorum: After checking roster of attendees, it was established that a quorum was present and the meeting could proceed.

Introductions: John Heiser welcomed the group. The Board Directors present and the property owners in attendance introduced themselves.

Protocol: John summarized Robert's Rules of Order and its application in the conduct of the meeting. Earl Saunders and David Wittman volunteered to act as election judges/tellers in all matters requiring balloting. Motion to accept the "tellers" was made by John Anderson, seconded by R.J. Johnson and passed by unanimous consent.

Minutes of 2003 Annual/2004 Budget Meetings: The minutes of the 2003 Annual meeting were published in the Nov./Dec. 2003 *Bent Tree Log*. Additionally, minutes of the 2004 Budget Meeting were presented in the Jul./Aug. 2004 newsletter; extra copies of respective newsletters were available for all in attendance. Joyce Blutt moved and Chuck Loeffler seconded the motion for approval of the minutes of both meetings. The minutes were approved



by unanimous consent.

ACC Election to fill one 3-year position: Joyce Blutt, ACC chairperson, described the ACC position responsibilities and amplified on the ACC's functions. Chet Sulewski added background comments on the necessity and importance of the committee. No nominations for the position were received prior to the meeting. Dan Bossie was nominated from the floor and Earl Saunders volunteered his nomination but subsequently withdrew; there were no further nominations. Bruce Bates moved and Chet Sulewski seconded the nomination and Dan was elected by acclamation.

Election of Directors: Two positions on the Board of Directors were up for election; both positions were for three years. No nominations were received prior to the meeting. Kathy

Decker and Tim McLaughlin were nominated from the floor. No further nominations were received. Greg Pellett moved and Chet Sulewski seconded the nominations and Kathy and Tim were elected by acclamation.

Treasurer's Report: Ken Blutt presented the Bent Tree financial report. The report was made available to all in attendance. As of 18 September 2004, Total Assets are \$81,414 and Total Liabilities and Equity are \$81,414. For the current year, to date, the BTPOA's Total Income is at \$21,653.04, (annual dues accounting for \$18,767.00) and Total Expenses are \$15,833.57 (water augmentation, builder's holding account, printing, postage and office supplies being the major expense items). Gerald Neufeld moved and Earl Saunders seconded the motion to accept the Treasurer's report as given. The motion passed by unanimous consent.

Water Augmentation Report: Bent Tree does not own the water we use; therefore, the water owned by downstream users is augmented for by a plan written into law by the court system. For this reason, an annual report is required showing the number of improved lots in the community, the amount of irrigated sod in the development, and meters in Bent Tree IV. Ken Blutt is in the process of preparing this report. Negotiation with the Great Divide Water Company in last quarter of 2003 resulted in the cost of operations being allocated by number of lots rather than number of class A shares. Passing this measure at the annual meeting, significantly reduced Bent Trees' costs, \$8,897.36 versus \$12,240 of last year.

Covenant Compliance Discussion: Steve Fuhrmann provided handouts regarding Covenant Compliance Committee (CCC) activity, issues and the proposed "Rules and Regulations of Bent Tree". Copies of the covenants for Bent Tree I & II, III, and IV & V were also made available at the meeting. There was considerable discussion regarding the process for changing covenants, and it was pointed out that the covenants are a legal and binding document that can only be changed or amended according to the process described in the covenants. Changes can be made at any time, but would require a 3/4 vote of approval of all property owners. It was also pointed out that the covenants are open to change, revis-

(Continued on page 2)

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sion, or deletion via a simple majority vote of the property owners 25 years after they were first filed – which would be in 2009 for Bent Tree I & II, and later dates for the other filings. If no action is taken at that time, the covenants will automatically renew in their present form for another 10 years. It was noted that no changes were made to the covenants at the time they were turned over to the BTPOA by the developer. It was also pointed out that the majority of CCC activity this past year, and presently, has dealt with the vehicle parking issue. Over the past year, forty (40) vehicle parking issues have been resolved; sixteen (16) remain 'open'. The vehicle parking covenant and associated issues were discussed at some length. Steve Fuhrmann indicated that the enforcement of this covenant has been done in a manner that allows for reasonable, temporary parking of vehicles outside. The CCC has drafted Rules and Regulations that spell out specific enforcement procedures. The "Rules and Regulations", a supplement to the covenants, are designed to clarify how certain covenants will be enforced. The BTPOA, as the governing body of the homeowners association, has the authority to write and approve such rules and regulations, as provided by the "Common Interest Ownership Act", under Colorado's State Statutes. The draft Rules & Regulations have been presented to the BTPOA Board for review and approval. John Heiser requested that anyone having input or comments on the draft provide feedback to the Board and/or the CCC by December 1, 2004. The Board will then consider the Rules & Regulations for final approval at their January 9, 2005, meeting. The draft will be posted on the Bent Tree web site (www.nepco.org/benttree). There was further discussion regarding various ways for residents with "extra" vehicles to properly screen them, and comply with the parking covenant. Screening with ACC approved fencing and/or vegetation & landscaping is one commonly used alternative. Such screening must prevent the vehicle(s) from being seen from public roads, and from neighboring homes. Steve pointed out that, if the vehicle(s) can't be seen from the road, then the CCC will take no enforcement action, unless they are visible by neighbors AND a complaint is lodged by those neighbors. Other alternatives, besides screening, include clearing existing garage space of other stored materials, and storing materials – or seldom used vehicles – off site. Another questioned the prohibition on the riding of ATVs, dirt bikes, etc. in Bent Tree, and how/if it is enforced. It was explained that riding such vehicles on lots is not allowed by covenants, and that riding any such vehicles on public roads is in violation of State and County laws, unless the vehicles are properly licensed. On-property situations should be referred to the CCC, while riding of unlicensed vehicles on roads should be reported to the El Paso County Sheriff's office. A number of the CCC volunteers are stepping down from the committee, and Steve Fuhrmann made a request for volunteers. Com-

mittee sign-up sheets were made available for residents present. Anyone wanting to volunteer should notify John Heiser or any other BTPOA Director.

Forestry Discussion: John Anderson, chairman of the Association's Forest Management committee, outlined the committee's mission in the community. It has been brought to the attention of the committee that trees in the development may be infested with Mountain Pine Beetle (MPB) and/or Dwarf Mistletoe, constituting a serious threat to the community. Preservation and protection of the health and beauty of the forest requires the education of our homeowners and recommendations of the resources needed to manage what we have. Our covenants state "Owners are responsible for prompt treatment or removal of trees infected..." In the case of the MPB, Colorado Revised Statutes, Article 4, Title 35, Para. 35-4-107, states that "you must remove and destroy the tree(s) of concern...failure to comply could ultimately result in a lien being placed on your property by the County." In addition, you could be subject to litigation by neighboring property owners for harboring a nuisance. Pamphlets of information and surveys were sent out with the most recent BT LOG, specifically addressing the beetle and mistletoe threat in our area. John indicated that about 29 lots in Bent Tree are infested, approximately 50% of those lots presently vacant. The El Paso County Forestry and Noxious Weed Division, as well as a number of tree services in the area, can/will work with you to determine if you have an infestation problem and provide recommendations for mitigation. Survey results and useful phone numbers will be posted on the Website.

Trail Upkeep: Bent Tree trails have been recently mowed and weeded. Lillie Saunders added that bobcat services should be secured to regrade the trails. Question was raised as to whether or not the Association had liability insurance coverage. John Heiser and Ken Blutt affirmed general liability coverage does exist. The west Colonial Park entrance's "site triangle" is still missing an "N" in the sign. George Saunders will check out the "N" problem and get the necessary letters to replace the "BENT TREE" in the monument.

Other Business: Concern was raised due to vehicles 'speeding' on the streets in Bent Tree, particularly on Scottswood Drive. John Heiser pointed out that this is a sheriff's issue and, when observed, notifying the sheriff's office will bring their attention to monitoring.

Drawing for Door Prizes: Randy Mason won \$100.00; Elizabeth Bryson won a decorative platter (donated by Pankratz Studios & Gallery, Monument); and Robert Jackson won two trellises (donated by High Country Store, Monument).

Adjournment

Minutes prepared by Jerry Wagner, Secretary, BTPOA, September 16, 2003.

Proposed BTPOA 2005 Budget

Expense Category	Amount	Description
Beautification & Trails	\$ 1,650	Maintenance of entrances, trails, roadside
Covenant Compliance	\$ 250	Printing and mailing
Dues and Subscriptions	\$ 100	Membership in NEPCO
Flood Control	\$ 500	Engineer's review plus maintenance work
Forestry	\$ 300	Beetle and mistletoe survey
Insurance	\$ 2,500	General Liability, Officers & Directors Liability
Legal	\$ 1,000	Attorney review documents
Meeting expense	\$ 600	Meeting room(s) and refreshments
Printing and mailing	\$ 1,300	BT LOG, Directory, meeting notices
Reserve	\$ 1,100	Miscellaneous contingencies
Utilities	\$ 400	Lights at Scottswood and Highway 105
Water Augmentation	\$ 9,000	BT share in Great Divide Water Company
Welcoming	\$ 300	Printing or purchasing materials, birdhouses
Total Expenses	\$ 19,000	

Revenue Category	Amount	Description
Dues	\$ 18,504	257 lots X \$72 per lot
Plan review	\$ 300	Assumes three sets of house plans reviewed
Interest on CDs	\$ 196	
Total Revenue	\$ 19,000	

Neighborhood Watch? What is it?

Crime and vandalism is a serious problem in our cities, suburbs, smaller communities and rural areas. Remote and isolated areas have always faced a special vulnerability to crime and vandalism. Relatively unprotected high-valued equipment and infrequent law enforcement patrols in many areas add to this growing problem; indicating a need for more positive measures in curtailing these activities.

Within the past year, we have had several reported burglaries in Northern El Paso County and two cases of vandalism in our Bent Tree community.

In essence, Neighborhood Watch is a crime prevention program that emphasizes education and common sense. It teaches citizens to identify and report suspicious activity in their neighbor-

hoods. Additionally, it is an opportunity for citizens to make their neighborhoods safer and improve the quality of life. Neighborhood Watch groups focus on observation and awareness as a means of preventing crime and simply watching out for each other'.

Communities that need Neighborhood Watch programs the most are the ones that find it hardest to keep them. This is particularly the case in neighborhoods where people work, shop, and/or are away from the area for varying lengths of time. Families are more transient, children have more activities that take them and their parents away from home, and there are more families with both parents working. One study found that most Neighborhood Watches were located in areas that contained high percentages of single-family homes and little or no commercial establishments.

Throughout the country, dramatic decreases in burglary and related offenses are reported by law enforcement agencies in communities with

(Watch-Continued on page 4)



Forest Management

After encountering several years of drought conditions, the increased amount of precipitation during past year may be lulling our community into an unwarranted sense of complacency. Through the recent drier years, we have encountered and identified an increasing infestation of Mountain Pine beetle (see page 5), Ips bark beetle and the parasitic Dwarf mistletoe. The drought has decreased the forest's (particularly the Ponderosa's) resistance to disease; witnessed by the dying/dead trees throughout Bent Tree. These infected/dying/dead trees constitute a serious threat to other trees on your property and adjacent properties.

"Once MPB infest a tree, nothing practical can be done to save that particular tree. Under epidemic or outbreak conditions, enough beetles can emerge from an infested tree to kill about two same-sized trees the following year." (Ref: Colorado State Forest Service Publication 5.528).

"Dwarf mistletoes damage includes growth reduction, poor tree form, predisposition to insect infestation and diseases, premature death...Dwarf mistletoes are not quick killers, long-term management options are feasible...pruning and removing is best measure...". (Ref: Colorado State Forest Service Publication 2.925).



Our Bent Tree Protective Covenants state: "Owners are responsible for prompt treatment or removal of trees infected by pine beetle or other insects which can kill trees within a year and might spread to adjacent trees and lots, and to reasonably contain any trees with slow parasitic growth such as mistletoe."

By law, "you must remove and destroy the tree(s) of concern...failure to comply could ultimately result in a lien being placed on your property by the County." Additionally, you could be subject to litigation by neighboring property owners for harboring a nuisance.

If you have further questions or concerns, please contact the BTPOA Forest Management Committee. A representative of the Committee will meet and work with you to determine if you have beetle infestation and make recommendations on how best to treat and remove the infested trees.

HELP WANTED

- If you are a concerned community citizen,
- If you are interested in keeping Bent Tree a desirable place to live,
- If you believe in preserving a high quality and valued residential area,

Join us, the BTPOA Board and Committees, in our effort, to maintain the attractive, beautiful and enjoyable community that we have come to value and appreciate. Many talents abound in the community. This is a great opportunity and forum to share your ideas, time and talents and help **your community, your Board and your committees** in maintaining the standards and the qualities that drew all of us to the area. Contact any of the Board members with your thoughts, questions and suggestions.



(Watch-Continued from page 3)

active Neighborhood Watch programs. Statistics show that when a concerned citizenry does its part, the possibilities are endless...the results positive.

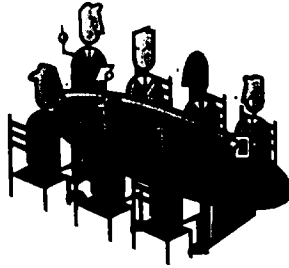
All Neighborhood Watches share one fundamental idea: bringing community members together to promote an increased quality of life and reduce the crime rate in that area. Involving community members in watch programs decreases opportunities for criminals to commit.

Today's Neighborhood Watch Programs are an effective means of crime control and neighborhood cohesiveness. Are we, as a community, ready to get involved? Active volunteers are needed. Because most programs do not have a formal budget or source of funding, volunteers donate their time and resources. Involving community, bringing community members together, 'neighbors helping neighbors'...positive steps for positive results. If you are interested in getting involved or have any further questions, please call any Board member (listed on page 6).

Board of Director's

Activities

Since the prior issue of the *Bent Tree Log*, the Board of Directors held two meetings. Highlights of those meetings follow:



September 18, 2004

- In Board Officer Elections, immediately following the BTPOA Annual Meeting, John Heiser was re-elected president of the board, Corrine Warren was elected as vice-president, Kathy Decker was elected treasurer and Jerry Wagner re-elected secretary by unanimous consensus.
- Retained funds of the BTPOA's Balance Sheet: In deference to "CCIOA 38-33.3-314: Surplus Funds", the Board unanimously approved adoption of a resolution that the BTPOA's "retained earnings" are "reasonable".
- Future Board meetings were set for the 2nd Sunday of the first month of each quarter: January 9, April 10, and July 10, at 2:00pm, and following the Annual meeting September 17; and/or as needed, for issues that arise. The Budget meeting date will be set for a Saturday "on or about February 15, 2005, pending facility availability (see **Notice** on page 6).

TREE PESTS: MOUNTAIN PINE BEETLES (MPB)

(From "Living High & Dry")

Description: Small black beetle, rarely seen but its passage is evident in dead or dying stands of trees. It's responsible for killing thousands of pines, particularly ponderosa, Scot, lodgepole and limber pines.

Signs of damage: Popcorn-shaped masses of resin called pitch tubes on the trunk where the beetle has tunneled; sawdust in bark crevices and on the ground near the base of the tree; visible live eggs, larvae, pupae and adults under the bark; bluestained sapwood.

Biological controls: Woodpeckers and clerid beetles feed on larvae and adults. Extreme cold temperatures reduce the population. Remove dead and dying trees and debark, chip or bury under 8 inches of soil or burn in fireplace.

Chemical controls: Limited. Lindane formulae, marketed as "borer spray", can be used to treat logs. Formulations of carbaryl (Sevin and others) applied in early summer to prevent attacks on individual trees.

January 9th, 2005

- Early in 2004, it was determined that the Association needed to clarify and codify procedures and interpretations for compliance enforcement of our Bylaws and Covenants. The Colorado Common Interest Ownership Act (38-33.3-103, Para. 27) addresses this issue with "Rules and Regulations" – any instrument adopted by the association for the regulation and management of the common interest community. Adopting such an instrument would help insure that all members of the association would receive equal treatment. Steve Fuhrmann and several members of the Covenant Compliance Committee undertook the task of formulating. The draft document was presented to the Board for review and discussion; vote to adopt was unanimous. The "Rules and Regulations of Bent Tree" can be viewed on the website, in their entirety: www.nepco.org/benttree/
- Committee Liaison responsibilities were set as follows:
 - Architectural Control Committee – John Heiser
 - Beautification and Trails Committee – John Heiser
 - Covenant Compliance Committee – John Heiser
 - Directory – Kathy Decker
 - Engineering Committee – Tim McLaughlin
 - Forestry Committee – Corinne Warren
 - Neighborhood Watch/Security Committee – Jerry Wagner
 - Newsletter – Jerry Wagner
 - Water Augmentation – Kathy Decker
 - Welcoming Committee – Corinne Warren
- After review and discussion, the 2005 BTPOA budget proposal, appearing on page 3, was approved unanimously by the Board of Directors. This proposal will be presented at the upcoming Annual Budget Meeting, February 12th, for adoption by the Association.

2005 Annual Dues

Bent Tree Property Owner's Association annual dues of \$72.00 were due on January 1, 2005. Notices have been mailed to all property owners and many have already been paid. As a reminder, all 2005 dues payments received after January 31, 2005 will be assessed an additional \$10.00 per month.

*** Mark Your Calendar ***

NOTICE

2005 BTPOA Budget Meeting
will be held

**Saturday,
February 12, 2005
2:00 PM**

at the

**Monument Town Hall
166 Second Street**

Proposed Budget on page 3

(Door Prize)

**Bent Tree Property Owners Association, Inc.
P. O. Box 2631, Monument, Colorado 80132**

Board of Directors

President	John Heiser	488-9031.....(2006*)
Vice-President	Corinne Warren	487-8497.....(2006*)
Treasurer	Kathy Decker	484-0333.....(2007*)
Secretary	Jerry Wagner	487-2898.....(2005*)
At-Large	Tim McLaughlin	488-3406.....(2007*)

Architectural Control Committee

Chair	Joyce Blutt	559-0557.....(2005*)
Member	Brian Roos	488-8923.....(2006*)
Member	Dan Bossie	487-8728.....(2007*)

*Denotes the annual meeting year at which the current three-year term expires.

Committee Chairs

Beautification and Trails	Francy Lingel.....	488-9031
Covenant Compliance	Claude Todaro.....	481-8846
Directory	Sally Lopez.....	487-3090
Engineering	Jerry Lopez.....	487-3090
Forest Management	John Anderson.....	488-3667
Neighborhood Watch	Jerry Wagner.....	487-2898
Newsletter	Jerry Wagner.....	487-2898
Water Augmentation	Ken Blutt.....	559-0557
Welcoming	Robert Hostetter.....	488-8867

*If you have questions or comments regarding this newsletter please contact Jerry Wagner, Editor, (719) 487-2898.
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