

**EAGLES NEST PROPERTY HOMEOWNERS ASSOCIATION
PO BOX 23420
SILVERTHORNE, CO 80498**

****New Website****

www.enpha.org

Eagles Nest News

October 2009

President's Column

By Vince Lanuza

We have had a very busy summer with our successful annual picnic, our well attended annual work day, various special projects, and the fire mitigation, tree spraying, and noxious weed programs. Also Rich Waterman, an Eagles Nest resident, has donated his time and expertise to improve and enhance our new website (www.enpha.org). Other members of the board and people in charge of some of our programs and projects will address them in more detail later in this newsletter. Throughout the year we rely heavily upon the service of so many volunteers. I want to give my personal thanks to all of you have your time and efforts to help with the various programs and projects.

Earlier this year, because of the heavy workload on some members of the Board, it became necessary for the Association to expand the responsibilities of our management company, Eagles Nest Management Services. As a consequence, a new contract was reached with an increase of \$12,000 over the previous year.

As you will learn in George Resseguie's Treasurer's Report that follows, a dues increase is necessary for 2010. The Board of Directors works hard to control expenses, but the following conditions make a dues increase unavoidable:

- The increase in pay to the management company;
- The expected increase in legal fees in 2010 (based on the amount incurred in 2009);
- The fact that we may not be able to obtain grant monies to help defray the costs of fire mitigation work on the 17 properties owned by the association (Len Shipman & Jim Ernst did a great job in obtaining grants in prior years);
- The potential of having to hire more outside workers because we are burning out our volunteers.

Treasurer's Report

2009 Results and 2010 Budget Planning

By George Resseguie

For 2009, our overall projected revenues and expenses are consistent with our budget that projected a shortfall of revenue to expenses of \$13,000. As planned when developing the budget, the shortfall will be covered by using \$13,000 from reserve accounts. During 2009, key revenue items include a gain in tree-marking services (\$4,000) that was offset by an unavailability of fire mitigation funding (\$5,000). Expenses in total are in line with the 2009 budget, with several significant offsetting variances. Increases were recorded in legal fees (up \$10,500) and changes to ENPHA's contract with Eagles Nest Management Services (up \$8,300). Offsetting these increases were a reduction in tree removal expense on 17 ENPHA properties (\$7,600), reduced MPB tree-spraying expenses on the EHPHA properties (\$5,000), reduction in costs of healthy forest and trail maintenance projects (\$3000) and efficiencies gained using e-mail delivery of the Newsletter versus US Mail (\$2,000).

Planning for the 2010 budget is in progress and with dues at \$130/property owner, there will be a revenue/expense shortfall of between \$15,000 and \$20,000, higher than in 2009. Because we will not utilize funding from ENPHA reserves to offset the shortfall (as we did in 2009), a dues increase of between \$15 and \$25 per property owner will be necessary to cover the shortfall. We will finalize our budget planning in November and establish a 2010 dues amount at the December Board of Directors meeting. As always, the Board will do its very best to hold dues as low as possible; however, dues have been at \$125-\$130 per property owner since 2005, and we likely will have no choice but to have increased dues in 2010.

New ENPHA Website

Check it Out!

By Len Shipman

If you haven't logged onto the Association website recently, you have treat in store. An Eagles Nest resident and website professional, Rich Waterman (www.moosideas.com), has donated his services to the Association. The new website, www.enpha.org, is far more attractive, professional in appearance, and user-friendly. The Association relies on the website as one of the main ways of communicating with our members. Please log on and click on the Menu items. You'll find news of value to you, notices of upcoming events, useful information, Association documents, meeting minutes, Association and sub-association contacts, the latest edition of the Eagles Nest News, and much more.

Like the Town of Silverthorne, the Association has gone electronic in an effort to save money and communicate in a more timely way with our membership. Besides the website, we use e-mails in two ways to pass on important information to you. First, the *Eagles Nest News* is sent out via e-mail in February, May and October. We no longer mail the *News* unless a property owner requests it. And, second, we e-mail Periodic Notices containing important information to property owners throughout the year, as the need arises. We have a membership of 782 and e-mail addresses for nearly 600. So, if you haven't given the Association your e-mail address, please do so. Send an e-mail message to lenshipman@comcast.net. Type "New E-mail Address" in the subject bar.

Mark Your Calendar

Winter Snowshoe Social

By Stuart Richardson

The association Board is pleased to announce the continuation of our successful Winter Snowshoe Social. This year's event will be held on Saturday February 13, at the Community Center and will coincide with the Full Moon. There will be two snowshoe trails—one short and one long. As before, the event will be conducted on the golf course Nordic Track routes and will be done in a social manner; snowshoe at your own pace. Refreshments, snacks, and good cheer will be provided at the Community Center following the event. Start time will be 7 PM. so bring headlamps. No need to sign-up, just show up.

Environmental Report

Silverthorne Tree Survey

By Jim Ernst

In September the Town of Silverthorne sent a Public Notification to all property owners notifying them of a pending tree survey. Upon the completion of the survey, property owners with infected or dead trees on their property will receive a follow-up notification indicating the number of trees to be removed from their property. We expect the deadline for removal of these dead and infected trees to be June 15, 2010. However, property owners can immediately begin removing trees; there is no requirement to wait until spring. In fact, many loggers prefer to remove trees during the winter time, as removal with snow on the ground causes less damage. If you have any questions about the Town sponsored tree survey or the Town's ordinance which addresses dead and diseased trees, please contact David Siderfin, Code Enforcement Officer at (970) 262-7399 or e-mail him at dsiderfin@silverthorne.org. Information on the tree ordinance can be found on the Town's website at www.silverthorne.org.

There was a similar survey conducted in the fall of 2008. The deadline for removal of dead and dying trees was June 15, 2009. All but two Eagle Nest property owners (Town enforcement action pending) took the necessary action to remove their dead and dying trees. On behalf of the Association, thank you. Your efforts reduced our fire risk and kept our neighborhood looking pristine. The Federal/State Forest Service and Fire Department refer to Eagles Nest when they are looking for a model area that strives for a healthy forest environment.

Mountain Pine Beetle Program

By Al Sanborn

The mountain pine beetle spray program for 2009 is complete. A total of 7139 lodgepole pine trees were sprayed, including all trees 4 inches in diameter and larger. In 2008, 7334 trees were sprayed; in 2007, 8686 were sprayed. The tree spraying program relies on the best research and advice we can obtain from experts. When we compare Eagles Nest to other areas where there have been MPB infestations, it is clear that our tree spraying program has been very effective. Stuart Richardson (262-2165) will be the Point of Contact for the 2010 program. He will soon chair a committee to interview and select next year's spray contactor. You will receive notices in the February/March time frame announcing program details.

North Summit Wildlife Urban Interface Fuel Reduction Project

By Vince Lanuza

Since 2004 I have been intimately involved with efforts to have fire mitigation work performed on National Forest property that parallels homeowners' property on the western border of the Town of Silverthorne (primarily Eagles Nest and South Maryland Creek). The following is a brief summary of my understanding of the developments that have prevented such fire mitigation work.

- In 2007 the USFS instituted a fire mitigation project which was originally referred to as the Wilderness Stewardship Project under a Hazardous Fuel Reduction Categorical Exclusion (HFRCE). The national forest property that runs parallel to the western borders of Eagles Nest & South Maryland Creek (SMC) was part of this project. The project required the participation of the USFS, the CSFS, and a contractor to be selected. Work on the Eagles Nest and SMC portion of the project was to occur between 2008 and 2012.
- The Sierra Club brought suit to stop projects like the Wilderness Stewardship Project and a US District Court Decision ruled in favor of the USFS which allowed the project to proceed. However, the Sierra Club appealed to the 9th Circuit Court of Appeals in California which reversed the District Court decision (argued April 16, 2007 and decision filed December 5, 2007) and the project was stopped. The Court of Appeals concluded that the USFS violated the National Environmental Policy Act (NEPA) with its establishment of a blanket NEPA categorical exclusion for all fuel reduction projects up to 1,000 acres and prescribed burn projects up to 4,500 acres on all national forests in the United States.
- In the spring of 2008 the USFS and the contractor were allowed to proceed with the project now called the North Summit Wildland Urban Interface Fuel Reduction Project and the contractor began work on SMC.
- On November 28, 2008 Judge Garland Burrell of the US District Court signed an order in Sierra Club v. Bosworth, 04-2114, enjoining the use of the HFRCE on projects approved under the HFRCE after November 25, 2008.
- The USFS prepared an Environmental Assessment establishing the need for the fire mitigation work on the North Summit WUI Fuel Reduction project. The ENPHA, the Town of Silverthorne, the Summit County Commissioners, and other HOAs wrote letters in support of the Environmental Assessment. The Environmental Assessment has been in the hands of the Secretary of Agriculture in Washington, D.C. since the end of the objection period several weeks ago.
- The 9th Circuit Court of Appeals in a California decision dated August 5, 2009 basically put on hold all projects like North Summit WUI Fuel Reduction Project because of the federal 2001 Roadless Rule.
 - Colorado State Senator Dan Gibbs is drafting a letter in support of a proposed Colorado Roadless Rule which, if accepted, could help projects like the North Summit WUI Fuel Reduction Project.
 - Senator Udall has introduced a bill which could help projects like the North Summit WUI Fuel Reduction Project.

Obviously, there will be no fire mitigation work done in 2009.

Aspen Trees Pose Potential Hazards

By Jim Ernst

Dead lodgepole pines are not the only problem in Eagles Nest. We have thousands of aspen and when they die they are extremely vulnerable to high winds. Not only may your home be in harms way, but your car, your grandchildren, yourself, and those driving down our streets. If a tree falls on a walker, a biker, or a passing car, there could be serious injuries and lawsuits. We recommend all property owners take a close look at their aspen trees. If they are dead or dying, please remove them.

Noxious Weeds: A Successful Summer

By Jim Beltzer

Association volunteers made more progress this summer against noxious weeds. Properties were surveyed in early June. Property owners with noxious weed infestations were notified and asked to remove or spray their weeds. If the weeds were not eradicated by a deadline, a commercial sprayer, hired by the Association, sprayed the weeds. A total of 34 properties were sprayed in July and August and bills were sent to the property owners. Because of the rainy weather this summer, more weeds sprouted late and thus a second survey was conducted. More notices were sent out and those weeds were eradicated as well. The Association supplies chemical herbicides and backpack sprayers to our members free of charge. Next spring contact Stuart Richardson (262-2165) when you are ready to spray your noxious weeds. If you have any questions regarding the noxious weed spray program, call me at 468-1357.

Volunteers

A Big Thank You

By Jim Ernst

Once again this year a huge number of volunteers gave of their time to work on Association projects that benefit the entire Eagles Nest community and help to keep dues at a low level. Last spring forty-six volunteers dug out over 30 slash piles from several feet of snow then burned and monitored the piles. Sixty volunteers participated in our Annual Workday in June planting flowers, cleaning up around the Community Center, and repairing and maintaining our trails. In late June another thirteen volunteers spent two days thinning trees on a Healthy Forest project in the Ranch hillside forest. In July the Annual BBQ was another great success because of the continuing efforts of Bonnie Guthrie and a huge group of thirty-eight volunteers. Over the summer another nineteen volunteers removed dead and infected lodgepole pine trees from several community properties. Jim Beltzer and his crew of property owners worked to survey and eradicate noxious weeds. Another crew of volunteers created a new trail in the forest behind the Hideaways. This trail will eventually connect the Ranch forest trail to Golden Eagle near the junction with Kestrel Lane. Additionally, the members of the Design Review Committee met on a regular basis throughout the year (sometimes all day!!!) to evaluate projects and supervise compliance within Eagles Nest. And last, but not least, your Board devotes well over a thousand hours a year attending board meetings, Design Review meetings, lot inspections, town meetings, homeowner meetings, meetings with property owners, working the phone on Association business and meetings with loggers and sprayers, to name a few of the activities. Volunteers contributed over 1600 hours in support of Eagles Nest. We are "truly" blessed to have volunteers willing to help in reducing cost and making our community a better place to live.

Useful Information

Tree Replacement

If you have plans to plant trees on your property, the State of Colorado has a seedling tree program at a very reasonable cost. You can find more information on this program by calling the CSU Extension Summit County at 970-668-4140 or 970-668-3595 or by going to their website at www.csfs.colostate.edu (Search "Nursery"). NOTE: The application says you must own at least one (1) acre of land. Even if you don't own an acre, submit the application.

Community Center Reservations

Reservation requests for the Community Center should be directed to Stuart Richardson (262-2165). Remember, if your event is sponsored by your sub-association, there is no rental charge. We are extremely proud of the Community Center and of the John Taylor Pavilion. Use of both facilities has steadily increased in recent years, making them valuable assets to our community.

On-Call Trash Collection

On-call trash collection is available to Eagles Nest residents. Just make a call to one of the following trash collection companies and they will send out a truck to collect your trash: Waste Management (468-2475), The Trash Company/Snow Peaks (668-0659), or Talking Trash (389-0101). Prices range from \$15 to \$23. So, if you can't arrange for a neighbor to take out the trash, you now have an alternative.

SC Alert System

You should consider signing up with the Summit County Alert notification system operated by the county. Once you sign up, the system will automatically notify you of you of any emergency affecting the public such as a forest fire, emergency road closure, threatening weather, evacuation, or terrorist attack. The link to register is www.scalert.org. The emergency notification message can be sent to an e-mail address, a cell phone/text, pager, smart phone, or other handheld device; you decide the device(s) when you register. You will receive real-time updates and instructions on where to go, what to do, what not to do, who to contact, and other important information. The website has a FAQs section. Read it before you register.

Sub-association Grants

ENPHA Board Supports Sub-association Projects

By Len Shipman

At a special meeting on Monday, October 12, a number of sub-association presidents or their representatives met with the Board of Directors of the Association to discuss matters of mutual concern. Along with the ENPHA board and its management team, six sub-associations were represented: Judy Randall (Hideaways), Wes Adams (Peregrine Ridge), Becky Hodgell (Ponderosa), Bob Kieber (Ponds), Dick Campbell (The Ranch at Eagles Nest), and Dawn Marie Gorski (Valley Greens). Rich Waterman, the Association's webmaster, was also in attendance to talk about our new website. There was a review of ENPHA activities for the year, a summary of Design Review activity, a call for volunteers, an attempt to recruit people to serve on the ENPHA board, a presentation on Colorado law affecting HOAs, and review of the ENPHA budget for 2010, including the need for a dues increase. Also at the meeting, in keeping with the board's willingness to support sub-association projects of general value to all of Eagles Nest, there was a call for grant proposals. Sub-associations with projects should submit proposals within the next couple of weeks to Dave Anderson (Vice President) or George Resseguie (Treasurer). The projects will be evaluated by the Board and funding decisions will be made at the Board's December meeting.

Eagles Nest Metropolitan District

An Update

By Vince Lanuza

The Eagles Nest Metropolitan District (ENMD), a special taxing district, is a quasi-municipal corporation governed by the Colorado Special District Act. In 1981 the ENMD originally issued bonds (adjusted by subsequent refinancing) relating to the development of infrastructure of Filing No.1 of the Eagles Nest Development. As owners of properties located in the ENMD, you have been assessed an additional mil levy (resulting in higher property taxes) for the purpose of paying down the principal and interest on outstanding bonds. The additional mil levy was as high as 39 in 2000 and is currently 15.03. All properties located in the ENMD, which is comprised of all properties that are part the Eagles Nest Property Homeowners Association and properties located in Angler Ranch, are subject to this additional mil levy.

On May 29, 2009, the ENMD issued its Series 2009 Refunding Bonds for the purpose of refinancing bonded debt at a lower interest rate. Then, on August 29, 2009, the ENMD received a CERTIFICATION OF 2009 ASSESSED AND ACTUAL VALUATIONS showing an increase in assessed valuation of properties located in the ENMD of \$11,370,750.00

The ENMD board of directors will have a special meeting later this year to discuss what effect, if any, the forgoing events might have on the current 15.03 mil levy. Please access the Eagles Nest Property Homeowners Association website (www.enpha.org) for a more detailed discussion on the ENMD and the additional mil levy.

Town News

Town Newsletter

By Len Shipman

Like the Association, the Town of Silverthorne is going electronic. In an effort to reach a larger newsletter audience, cut paper usage, and save a considerable amount of money, the Town has switched from a “snail mail” version of the newsletter to one that is electronic. Six electronic newsletters will be “published” each year at a savings of nearly \$12,000. The newsletters will give you the latest information on Silverthorne and important upcoming events. All you have to do is sign up on the Town website at www.silverthorne.org. Click on the link in the upper right hand corner, enter your e-mail address, and submit.

Silverthorne Police Enforcement/Speeding and Parking Issues

By Jim Ernst

Speeding and parking on Eagles Nest streets have been regular issues of concern for homeowners and the Board of Directors of the Association. At the urging of the Association, the Silverthorne Police Department has been active in bringing these problems under control. Residents are reminded that parking on Town streets and in the rights of way is prohibited in Silverthorne. This becomes a more serious problem in the winter months as your Public Works snowplow crews are hampered when vehicles are illegally parked along the roads. Illegally parked cars will be ticketed and, in some cases, towed away at owner’s expense. If you are having guests and run out of parking in your driveway, you are encouraged to obtain a temporary street parking permit from the Town. The Town of Silverthorne charges \$40 for parking tickets, plus towing charges of \$200-\$250 for interfering with snow plows. The Town charges \$145 and 4 points minimum for speeding. So slowdown, park legally, and save your money for the holidays.

Contacts

See the last page of the News for all your Association and Sub-association contacts.

Compliance

Winter Compliance Issues

By John Ahlquist

With the approach of winter, you need to be aware of two important issues regarding snowmobiles and use of the Raven Nordic Trails.

Snowmobiles The use of snowmobiles is not allowed on private property within Eagles Nest or on the golf course. The only exception is that the Raven may use their snowmobiles to groom the Nordic Trail system and to inspect and do maintenance on the golf course.

Nordic Trails Please respect the groomed Nordic Trails on the Raven Golf Course. These trails are only to be used for cross country skiing and snowshoeing. The agreement between the Town of Silverthorne and the Raven specifically prohibits dog and foot traffic. The Town’s contract with the Raven is up for review in April of 2010. If we are unable to control dog and foot traffic on the groomed trails, that agreement may be allowed to expire.

Is Your Dog Leashed?

By Jim Ernst

Not only are you subject to fines for unleashed dogs in Silverthorne and the National Forest behind Eagles Nest, but it could cost you a bundle if your pet attacks someone. Following most attacks the statement made in most cases is: "my dog has never bitten anyone". But all dog owners need to understand their potential liability should their animal bite, maul or, heaven forbid, kill someone. A single bite could cost you tens of thousands of dollars -- a lawsuit hundreds of thousands -- and your insurance coverage might not apply. If the attack is especially serious, you could go to jail.

Consider: Dog bites make up one-third of all homeowner insurance liability claims, according to the Insurance Information Institute, and cost insurers \$356 million in 2007. The average cost of a dog-bite claim was \$24,511 in 2007, the Institute found. More than 4.7 million people are bitten by dogs annually, according to the national Centers for Disease Control.

Trash and Wildlife Protection

By Len Shipman

Recently, homeowners who live near the national forest noticed a bear in the neighborhood. Not an unusual occurrence. This bear was eating trash and leaving debris all over the yard and street. Apparently, a homeowner put their trash can out the night before and the bear found it. This is bad for the neighborhood and even worse for the bear. When wildlife associates food with humans, we are in trouble. Please be careful with trash. Trash cans should be put out at the street on the morning of collection. If you are unable to do this, please check the item in [Useful Information](#) entitled "On-Call Trash Collection". You can make a special arrangement for a local trash company to come by your home and collect your trash.

Please be aware, too, that feeding wildlife is prohibited. One of the treasures of living in Summit County is the presence of wildlife. Enjoy them, but please leave them alone so they can remain wild. It's better for them and us.

Contacts

ENPHA Board Members

Name	Position	Phone Number
Vince Lanuza	President	468-1912
Dave Anderson	V. P./Facilities	262-6988
George Resseguie	Treasurer	513-6547
Len Shipman	Secretary	262-1511
Mollie Brunetti	Design Review	513-7193
Jim Ernst	Environmental	468-0626
Al Sanborn	Environmental	485-9170

Association Managers

Name	Position	Phone Number
John Ahlquist	Mgr., Compliance	262-0455
Stuart Richardson	Mgr., Maintenance/C.C. Reservations	262-2165

Listing of Sub association Directors/Presidents

Name	Sub association	Phone Number
Judd Freeman	Aspens	468-7991
Bill Davis	Eagles Glen	262-1924
Scott Downen	Elk Haven	468-7813
Jeff Progar	Fox Valley	303-907-4465
Judy Randall	Hideaway	262-3844
Brian Novak	Homestead	303-393-9392
Walt Jones	Osprey Reserve	303-478-6800
Wes Adams	Peregrine Ridge	262-6890
Becky Hodgell	Ponderosa	389-3502
Bob Kieber	Ponds	262-1199
Bill Reed	The Ranch	513-9741
Dawn Marie Gorski	Valley Green	389-2002

IMPORTANT

Contact Information Changes

If your contact information has changed, please use this form to update the Association. Either mail the form to Len Shipman, PO Box 1169, Silverthorne, CO 80498, or include the information in an e-mail to lenshipman@comcast.net.

CHANGE OF ADDRESS FORM	
Name	
Previous Address	
New Address	
Phone Number	
Alt. Phone Number	
E-Mail Address	

Comments, suggestions, or questions regarding the "Eagles Nest News" should be directed to Len Shipman at 262-1511 or by e-mail at lenshipman@comcast.net.