

INDIAN MOUNTAIN NEWS WINTER 2016

**A JOINT NEWSLETTER OF
The Indian Mountain Property Owners' Association (IMPOA)
And The Indian Mountain Metropolitan District (IMMD)**

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COMMUNITY CALENDAR OF EVENTS SCHEDULE

This list provides a preview of upcoming community events. Please always remember to check both the IMMD and IMPOA websites for updated schedules and other events that may be of interest to you, such as the frequent activities at the Community Center.

- *IMMD Board of Directors Nominations and Election—see article below.**
- *Indian Mountain Community Meeting— 1:00 to 3:00 pm, Sunday, May 29, 2016**
- *Indian Mountain July 4th Picnic—Saturday, July 2, 2016**
- *IMPOA Dumpster Day—Sunday, July 3, 2016**
- *IMPOA Annual Meeting & Board Elections—1:00 to 3:00 pm, Saturday, August 13, 2016**

CALL FOR DISTRICT BOARD NOMINATIONS

The Indian Mountain Metropolitan District is pleased to announce that a community-wide election will be held to fill three of five Board vacancies in 2016. Since the District is a political subdivision of the State, there are very formal rules and processes to follow.

Property owners are eligible to serve on the Board. The first step is to file a self-nomination form with Samantha Bertin, DEO (Designated Election Official), between January 1 and the close of business on February

26th. The self-nomination form can be emailed to indianmtn@hotmail.com or delivered to the IM Community Center on Keneu Court.

The DEO will review the nominations based upon the State's Special District election rules to ensure candidates may run for office. After the close of Board nominations on February 26, 2016, nominees will be asked to submit a short, concise profile of their professional background, experience and skills which may benefit the District, and an explanation of why service to the District is important. The profiles will be compiled into an IMMD Election Profile and posted for easy public review. If there are more than three qualified nominations, the District election will be held on May 3, 2016. More election details will be forthcoming. Please contact Samantha if you have any questions (719-836-9043).

Board service is important, rewarding and hard-work. Board members are expected to actively participate in monthly board meetings, review various documents and drafts in preparation for Board meetings, assist in development of newsletter and website information, lead and/or serve on one or more board committees, and participate in District-sponsored functions. The expectation is that each Board member will place the best interests of the Indian Mountain community over and above any self-interest they may have. The Board encourages interested property owners considering serving on the Board to review the minutes and newsletters on the IMMD website, attend a regular Board meeting, review the annual budgets, and/or talk with the current or past IMMD Board members.

WATER UPDATE JANUARY 17, 2016

Our most recent Water Update was dated November 12, 2015, and mailed to all property owners as part of the annual IMPOA membership drive. It is also posted on the IMPOA and IMMD websites for easy retrieval. This Water Update addresses the events of the past 2 months.

Recall that there are two legal actions underway:

1. **Contempt Charges against IMC.** Mr. Ingalls, IMC owner and IM property owner, was found guilty of contempt of court and ordered to return all monies paid by IM property owners in response to the IMC letter received last summer. IMMD was notified by IMC in December that all payments have been returned. Furthermore, the Court ordered IMC to pay IMMD some \$8,000 to cover legal fees and charges. The Contempt Charge litigation is now complete with IMMD prevailing in this court action.

2. **IMC Appeal of March 2015 Court Ruling:** The Court ruled in the favor of IMMD on all four counts last March 16, 2015. IMC then filed for an Appeal in June, and delivered their "opening" brief to the Court on November 27th. IMMD submitted its "answer" brief on December 31st. We expect IMC's "response" brief within a few days. These documents then serve as the basis for the Appellate Court review and ruling. The State Appellate Court is a three-judge panel located in Denver. We expect the case to be considered in the Summer, 2016.

All the legal documents associated with the Contempt and the Appeal cases are posted on the IMPOA and IMMD websites.

FIREWISE COMMUNITY ACTIVITIES

The IMPOA board of directors, which also serves as the *Firewise Community* board of directors, is pleased to announce that Indian Mountain was again honored in 2015 to be selected by the National Fire Protection Association (NFPA) as a *Firewise Community*. This is the fourth year in a row that Indian Mountain has been recognized by the NFPA.

Since 2002, The *Firewise Communities/USA Recognition Program* has empowered neighbors to work together in reducing their wildfire risk. There now is a network of more than 1200 recognized Firewise communities from across the nation taking action and ownership in preparing and protecting their homes against the threat of wildfire. Three of these communities are in Park County, namely, Indian Mountain, Stagesop and Lost Park Ranch. *Firewise* communities develop an action plan that guides their residential risk reduction activities, while engaging and encouraging their neighbors to become active participants in building a safer place to live. The following five steps are required to gain *Firewise* recognition:

- Obtain a wildfire risk assessment as a written document from your state forestry agency or fire department.
- Form a board or committee, and create an action plan based on the assessment. These first two steps for Indian Mountain are described in our Community Wildfire Protection Plan (CWPP), which was approved by the Colorado State Forest Service, the Jefferson Como Fire Protection District and the Park County Board of County Commissioners. Our CWPP is posted on the IMPOA website.
- Conduct a “Firewise Day” event each year. We break this event into several parts, including the Community Meeting in May, the Community Picnic in July and the IMPOA Annual Meeting in August.
- Invest a minimum of \$2 per capita in local Firewise actions for the year.

By far the most important *Firewise* activity by Indian Mountain owners is the work they do to reduce flammable fuels and create defensible space on their individual properties and then dispose of the slash, either by chipping *in situ* or burning in the IMMD burn pit. IMPOA also pays for and organizes wildfire mitigation work in the community in general and at the Indian Mountain Park. All told, Indian Mountain's spending on wildfire mitigation averages around \$50 per capita per year.

Anyone interested in assisting the community-wide wildfire mitigation projects should contact one of the IMPOA board members. In the meantime, we encourage individual owners to keep up the good work on their properties. Anyone that seeks guidance on what they should do to lessen their risk should start by reading the CWPP and then contact one of the IMPOA board members if further advice or assistance is needed.

IMPOA 2016 MEMBERSHIP DRIVE

During the month of November several property owner volunteers joined the IMPOA and IMMD Boards of Directors to stuff envelopes for the annual IMPOA membership drive. This is a very big endeavor because the property owner database count is 2,050 individual owners of nearly 2,500 properties. It is also a very important effort because ours is not a mandatory property owners association and we rely 100% on the voluntary membership dues to support the critical needs, such as water and fire mitigation, for this beautiful mountain community.

As of early January, we've received payments for 487 memberships for 2016. This is just slightly behind the count at the same time last year, but our mailing was delayed by a couple of weeks, landing it in homes smack in the middle of the busy holiday season. We are already seeing a trend over the past couple of weeks that property owners are now having the time to get their memberships in the mail, or make their payments on the www.impoa.net website using the new Pay Pal feature. Of great encouragement is the fact that nearly 30% of the memberships also include an additional donation. Those donations are greatly appreciated because we've earmarked them for the ongoing Water Augmentation litigation.

If you haven't yet paid your \$35 annual membership, please do so as soon as possible. You can go to the IMPOA website and either download/print the membership form to mail in or you can activate it through the Pay Pal process. Please contact us if you did not receive the physical mailing in November so that we can make sure we have your correct mailing address.

Even more than ever, we thank you for being a good neighbor by paying your IMPOA dues!

2016 IMPOA BUDGET

The 2016 IMPOA budget was approved during the December 12th meeting for the 2016 calendar year. As in previous years, the approved budget will be posted by early April after the annual audit is conducted. In 2016 we expect to spend more funds than we collect in membership dues and donations because of ongoing water litigation. Because the Board cannot accurately estimate the amount of our 2016 legal expense, we have budgeted an initial \$20,000 for this item and will approve expenditures over the amount budgeted in \$5,000 increments.

Other budgeted line items are expected to remain comparable to 2015 expenditures with our largest budgeted expense (excluding water litigation) going to Firewise Community Wildfire Mitigation Projects. Other significant line items consist of our dumpster day sponsorship, signage maintenance and purchases, insurance and administrative expenses, which support our day to day operations, and our annual mailing, which is sent out each November.

INDIAN MOUNTAIN COVENANT VIOLATIONS – YOUR FEEDBACK REQUESTED

At virtually every IMPOA Board of Directors meeting, we hear reports of covenant violations regarding camping (RV, Camper, Tent, etc.) year round on Indian Mountain properties. A few years ago, Indian Mountain conducted a massive clean out of abandoned campers and other trash on certain properties, along with a concerted effort to mitigate the camping-related covenant violations. This effort was necessary to help protect the overall health (literally, due to the rodent/vermin infestations and lack of permitted septic facilities) of the community and its property values. With these latest reports coming in, we want to understand how widespread the camping/campers violations have become in Indian Mountain so we are requesting your feedback to the following questions:

- 1) Are you aware of any RV/Camper violations (i.e., left year-round on unimproved property—no home/cabin or valid building permit in place and/or people living in such during the winter months)?
- 2) If so, how many and how egregious are the individual incidents? You can also include property addresses where the violations exist if you wish.
- 3) What action, if any, do you think IMPOA should take in regards to these violations in light of the fact that IMPOA, as an organization, does not have legal standing to enforce the covenants?

Please respond to these questions via one of the following: www.impoa.net, email response to impoa01@hotmail.com or email any of the IMPOA BOD members via their addresses listed in the contact list at the end of this newsletter. Paper copies of anonymous responses can be inserted into the IMPOA Box on the porch at the Community Center.

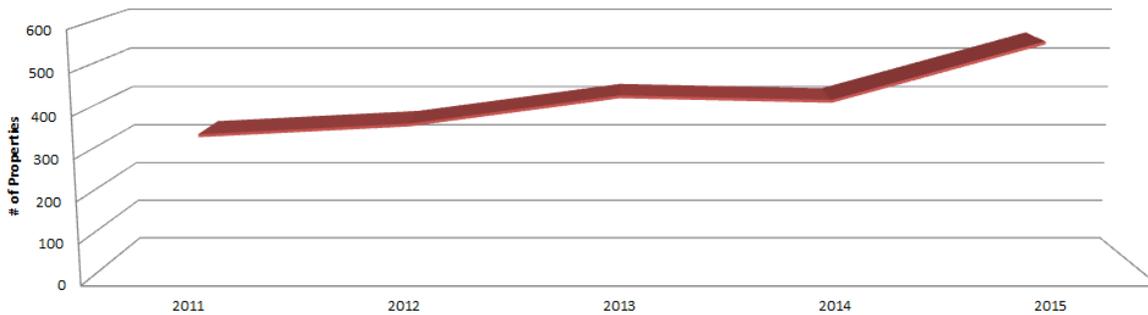
For reference and understanding, see the Fall 2015 newsletter article about the relationship between the IMPOA organization and the IM Covenants. You can review the newsletter and the Covenants on www.impoa.net.

HOME AND LAND SALES IN PARK COUNTY

2015 was a tremendous year for local property sales, and 2016 is gearing up with the same pattern. Lora Alexander at Jefferson Real Estate states that “things are looking up, we haven’t slowed down at all. We’re busy; lots of people want to list and there are many looking to buy.” Jefferson Real Estate saw over 20% increase in sales from 2014 to 2015. Jefferson Real Estate transactions: 2015 = 185 transactions; 2014 = 152 transactions; 2013 = 128 transactions; and 2012 = 112 transactions. Fuller Sotheby’s has a handy search feature that will email you when houses that meet your criteria come up for sale. More information can be found at <http://www.parkco.org/> and includes vacant land sales and residential sales. Good luck in your home selling or purchasing this year!

Historical Park County Sales Thru 2015
All Properties w/All Companies

Data From the Summit MLS System



	2011	2012	2013	2014	2015
# of Properties Sold	330	356	424	413	553

Here are the Real Estate Resources for the Park County area:

- Caniglia Real Estate Group – Alma (719) 836-2766
- Choice Property Brokers – Pine (303) 838-2720
- Deer Creek Realty – Bailey (303) 838-5377
- Dynamic Properties – Bailey (303) 816-6000
- Fidelity National Title – Fairplay (719) 836-0645
- Fuller Sotheby’s IR – Fairplay (970) 453-0550
- Herzog Appraisal Service – Fairplay (719) 836-2659
- Jefferson Real Estate – Jefferson (719) 836-2615
- Mountain Light Real Estate – Guffey (719) 689-2008
- Mountain States Land – Hartsel (719) 836-3108
- Nelson Realty of Fairplay (719) 836-2427
- Pinecone Properties – Fairplay (719) 836-3153
- Saddle Up Realty – Guffey (719) 748-1212
- Timber Wolf Realty – Fairplay (719) 836 - 2000
- United Country Real Estate (719) 836-9026

ANOTHER REMINDER: IS YOUR CONTACT INFORMATION CORRECT?

When this article first appeared in the Fall 2015 newsletter, a number of property owners responded to both Park County and to IMPOA updating the records with their current contact information. Great!! A repeat reminder for this issue of the newsletter seemed to be appropriate in case other property owners missed the original.

The 2015 Property Tax bills are coming due very shortly. You may have already received yours or will receive it in the very near future. If you pay your taxes in two installments, the first payment is due by the end of February. If you don't receive a tax bill, it could be an indication that your contact information with Park County is not current and it would be prudent to check with them. Park County provides the ability to update your address on-line from their website at www.parkco.org From the website click on the link to the Treasurer's Home Page, click on the Change of Address link (located right above Quick Links), and submit your change of address. If you have problems or questions, you can call the main office at 719-836-2771.

IMPOA and IMMD want to keep all property owners informed about activities and events that affect them. The most efficient and cost effective way to do that is with your email address. Please send a note to IMPOA at impoa01@hotmail.com so your mailing address can be updated to be consistent with the County's records.

SPEEDING IN INDIAN MOUNTAIN

During September-October 2015, the Board of Directors of Indian Mountain Property Owners Association (IMPOA) fielded a test at reducing speeding in IM by paying overtime to Park County Sheriff's Deputies to patrol on weekends. Neither IMPOA nor IMMD set the speed limits: the developers set them consistent with Colorado State regulations.

The first weekend, Friday afternoon through Monday morning, the deputies began the test. No citations were issued, but 56 Written Warnings were issued.

The speed limit inside our subdivision on all roads is 25 mph as indicated on the speed limit sign on Albino Road at our entrance/exit, and ten other signs on interior roads. The 56 speeding vehicles ranged from 39 mph to 52 mph. Most of the speeding was on Arrowhead Drive/Albino Road from War Lane to Breton where drivers are entering and exiting IM. The speed limit changes at the exit on Albino Road (County 32) to 40 mph. Several speeding drivers had to be chased down outside the exit on County 32.

Park County Sheriff's Deputies patrolled a second weekend and issued another 30 Written Warnings, for a total of 86—not an inconsequential number in light of the relatively low population in this rural area.

Fines for speeding in Park County are:

- 19 – 20 mph over the 25 mph limit is \$135 base + \$30 surcharge = \$165;
- 20 – 25 mph over the 25 mph limit is \$200 base + \$30 surcharge = \$230; and
- More than 25 mph over the 25 mph limit is a Summons for Speeding and Careless Driving, which means a mandatory appearance in court with the fine depending on the driver's driving record, which could be loss of license.

Speeding during the winter months doesn't seem to be a problem – the snow-packed roads readily enforce the limits.

In addition to the dangers of speeding, the dust created is an additional problem. We live on dirt roads, and dust is a natural condition. However, speeding creates much more dust. Be kind to your neighbors: as you drive in IM glance in your rear view mirror now and then to check how much dust you are raising. There isn't much if you are obeying the speed limit.

We are hoping this test and its subsequent warnings, along with the increased number of speed limit signs we are erecting in the neighborhood, will be sufficient to curtail future speeding. Based on property owner feedback and protests that IM monies should not be used to pay for services already expected of local law enforcement, IMPOA has discontinued further testing for the immediate future.

LODGE AND COMMUNITY CENTER RENTALS

The Lodge and the Community Center book up fast, so if you or your family need to rent either facility you are encouraged to go to www.indianmountain.info to the events calendar/lodge tab and check availability and then place your reservation with the business manager as soon as possible. Call 719-836-9043.

GENERAL REMINDERS

Current hours at the Community Center are: Wednesday through Saturday from 9am to 1pm. The Center is open for use during these hours, and there is free WIFI access, TV/DVD viewing, pool table, games and books. Please drop by and make yourself comfortable. You can also pick up your Burn Pit pass or comfort station/RV dump keys and register your RV for storage. If you have questions call the office 719-836-9043 or email indianmtn@hotmail.com.

IMPOA Board of Directors Contact Information

Name	Position	Term	Phone	Email Address	Mailing Address
Karen Goodman	Treasurer	2018	303-912-1063	kkmbg1@comcast.net	PO Box 203 Como, CO 80432
Gail Lane	Membership Director	2016	719-836-3154	rgflane@centurylink.net	PO Box 32 Como, CO 80432
Marcia Logan	Director	2017	970-586-9194	ep.mjlogan@yahoo.com	1360-C Raven Circle Estes Park, CO 80517
Dennis McQuillan	Director	2018	303-881-5091	dmcqtech@gmail.com	6179 S. Fenton Ct. Littleton, CO 80123
Roger Mattson	President	2016	303-278-1406	rdmattson@comcast.net	2511 Fossil Trace Ct. Golden, CO 80401
Kim Novitch	Secretary	2017	303-941-6190	oufunchick@hotmail.com	17079 E. 106th Way Commerce City, CO 80022
Fred Whitaker	Director	2017	719-836-1702	whitakerfc@gmail.com	PO Box 255 Como, CO 80432
Samantha Bertin	Business Manager	---	719-836-9043	cloudnineranching@gmail.com	---
IMPOA Contacts	---	---	IMPOA.net	IMPOA01@hotmail.com	PO Box 196 Jefferson, CO 80456

IMMD Board of Directors Contact Information

Name	Position	Phone	Email Address	Mailing Address
Beverly Bushaw	Vice President II	303-990-0459	bbushaw@comcast.net	PO Box 25 Como, CO 80432
Glenn Haas	Secretary	970-498-9350	glennehaas@comcast.net	3403 Green Wing Ct Fort Collins, CO 80524
Louise Mark	Vice President	719-836-2481	lfmark43@gmail.com	PO Box 28 Como, CO 80432
Tom Odle	Treasurer	303-683-9812	thodle99@q.com	2855 Clairton Dr. Highlands Ranch, CO 80126
Susan Stoval	President	719-836-0138	sdstoval@gmail.com	PO Box 25 Como, CO 80432
Samantha Bertin	Business Manager	719-836-9043	indianmtn@hotmail.com	---
IMMD Contacts	---	indianmountain.info	indianmtn@hotmail.com	PO Box 25 Como, CO80432

TRANSPARENCY NOTICE

Pursuant to State Law, IMMD needs to post a transparency notice, which lists the time and places for meetings and other information. The 2016 Transparency Notice may be viewed at <http://www.sdaco.org/transparency/>. Go to “search now” and look under the index at “I”. You may also view it on our website: indianmountain.info under “governance”. Any questions, call the IMMD business office: 719-836-9043 and talk to Samantha Bertin.