

LOGHILL VILLAGE HOME & PROPERTY OWNERS ASSOCIATION ANNUAL NEWSLETTER



115 Ponderosa Drive, Ridgway, Colorado 81432 www.loghillvillage.org

Inside this issue

Summer 2011

LHVHPOA Board Updates

Check out the updates from Jim McCarthy, President of the LHVHPOA Board, as well as a financial update from the Board Treasurer, Larry Meyers.

Pages 1 and 2

Parks, Recreation and Wildlife Update

Insights from Sara Coulter regarding wildlife issues as well as



an update from the Parks and Recreation Board.

Pages 3 and 5

LHVFD and the Community Fire Protection Plan

A review from the LHVFD Assistant Fire Chief as well as an overview of the Community Fire Protection Plan.

Pages 3 and 6

Community Activities and LHV H&POA Information

Picnics, parties and welcoming new neighbors as well as information regarding the current LHV H&POA Board.

Page 4

ACC Updates

The latest information regarding the appeal regarding the Verizon tower as well as an update from the Architectural Control Committee.

Pages 4 and 7

Plants, Roads, Trash Cans, Dogs and RVs

A review of resources concerning native plants and noxious plants in Loghill Village as well as a review of issues related to the Covenants.

Pages 5 and 6

Letter from the Board President

Starting off, I believe it is necessary to thank the people, your neighbors, that make the LHV H&PO Association work. Every Home and Property owner on the Mesa, whether a member of the Association or not, owes a debt of gratitude to our immediate Past President, Reggie Kajer. Reggie served everyone faithfully for at least ten years. If one had to pick just one example of his service, one need look no further than the mail structure. With volunteer help from many and thanks to generous donations from others among us, Reggie drove this project. I won't be shy about pointing out that this project serves ALL the homeowners, dues paying or not.

All the Board Members serve faithfully and generously contribute their time, experience and expertise. I suspect the burden falls most heavily on our most efficient Secretary, Barbara Seelye. Larry Meyers has taken on the thankless job of Treasurer, while his wife, Nancy, a Board Member, aided by Jane Nash and Jane McGrath, looks after Community Activities. The recent Picnic, thanks to them and other volunteers, was one of our most successful events in recent memory.

We should all bear in mind that many of our neighbors spend a great deal of time and energy making Log Hill Mesa a most pleasant place. Al Lowande, a Board Member, and his colleagues in Parks and Recreation spend a great deal of time expending sweat equity on our trail system. I should mention that his wife Roze did a first rate job producing the very neat Trail Map, available on the website.

We also get a huge volunteer effort out of some neighbors who are not presently on the Board. Dickson Pratt immediately

comes to mind. When some person or persons decided they needed our road signs to decorate their bedrooms, Dickson generously came forward to fabricate replacements. Dickson is also generous about sharing his extensive knowledge of flora and fauna.

Speaking of thankless tasks, the work of the Architectural Control Commission jumps to the forefront. The immediate past chair of the ACC, Jim Kennedy, served at least ten years in that capacity, demonstrating his dedication, intelligence and his formidable common sense over the years. He deserves thanks from all. Ted Rector, supported by a hard working group, has taken on this difficult and time consuming job.

That is a pretty long of people to thank, but it not complete. Many others of your neighbors have stepped up over the years to advance the common good. I fear that I am too new on the scene to properly acknowledge them all. For that I apologize.

Overall we have had a pretty good year on the Mesa. But I would be remiss if I



Letter from the President (cont.)

did not remind you all of THE MOST SERIOUS THREAT to all of who live or own property up here. That is WILDFIRE. I know that it has been a very long time since there was a serious fire here on the Mesa. That is both good and bad. The good is that we can applaud the alertness of the community and, even more important, we can bless the dedication and professionalism of our volunteer fire fighters.

Now for the bad. With no fire for a very long time and with development, the fuel load has reached an alarming level. There is a saying among fire professionalsthere is no IF about fire, only WHEN. Anyone who pays attention to the news is aware of the serious fires in the Front Range and in eastern Arizona. Those are mostly pine forests. Up here, most of us live in what they call a Pinon/Juniper forest. Depending on conditions all wildfires are a serious business, but the fire professionals will tell you that a P/J forest is among the most dangerous. Some of you may be telling yourselves that your homes or property are not exposed to danger. Maybe so, maybe no, but WE ALL HAVE SKIN IN THIS GAME. If a wildfire got loose on the Mesa, this place would turn into a moonscape. Even if your home were spared, the value of your homes and property would plummet.

So...what to do? Some of us have already taken advantage of grant programs offered through the Colorado State Forest Service. Others have undertaken fire

mitigation practices on their own. Fine and good, but it is not enough. The West Region Wildfire Council, an organization made up mostly of fire professionals from five counties on the Western Slope is undertaking a wildfire assessment program this summer. This professional assessment will provide invaluable information to individuals about how best to protect themselves and their property and will provide vital information to our firefighters in case of an emergency. Naturally this program will need your cooperation. You all will soon be receiving much more detailed information about providing access to your property for the free assessment.

I strongly urge all to fully cooperate in this endeavor.

Jim McCarthy
President
LHV H&PO Association

Treasurer's Report

The Home Owner's Association and the Architectural Control Committee have always operated in a fiscally conservative manner. The money is spent on covenant enforcement, legal fees, post and street signs, mailboxes, and defending our covenants.

The Verizon Tower Proposal on Dallas Creek Water property at Inspiration Point again cost the Association and ACC significant money in legal fees to support our covenants in court.

We sent out this year's owners' fee invoices and have received 138 responses so far. Our annual dues remain at \$50.

Following is the Fiscal Report as of July 19, 2011, as presented at our annual Home and Property Owners meeting.

Any questions about this report should be addressed to Larry Meyers at lhvtreasurer@loghillvillage.org.

Cash - checking	\$9,433.78
Cash - CD	<u>25,887.02</u>
Total	\$35,320.80

Deposits owed-ACC \$12,500.00

Net Cash \$22,820.80
(this includes a \$5,047.00 ACC acct)

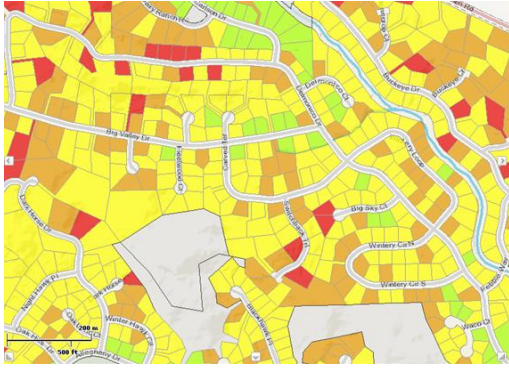
Income 2010	\$11,637.00
Expenses 2010	\$13,219.00

Annual Budgeted Expenses

Insurance	\$1,070
Covenant Enforcement	3,000
Newsletter/ballot	300
Misc incl picnic, stamps	1,200
Income Tax	<u>150</u>
Total	\$5,720

Annual Budgeted Income

Dues (\$50x150 members)	\$7,500
ACC Retained Fees	<u>5,000</u>
Total	\$12,500



Log Hill Mesa Fire Protection District Community Wildfire Protection Plan

The Log Hill Mesa Fire Protection District is working in collaboration with the West Region Wildfire Council (WRWC) to develop a district wide Community Wildfire Protection Plan (CWPP). As part of the CWPP, the West Region Wildfire Council will be conducting a wildfire risk analysis to determine how residents in the district can be

A presentation was held at the HOA meeting on July 19th where the discussion focused on the CWPP planning process, associated field work and the importance of public involvement. The Log Hill Mesa Fire Protection District CWPP can be used as a tool to help reduce the risk of wildfire in your community. We are asking that homeowners participate in the FREE wildfire risk analysis which includes a structure survey.

If you would like more information, or would like to sign up for the survey, please email or call Lilia Colter, West Region Wildfire Council CWPP Coordinator:

Wrwc.lilia@gmail.com
970-249-9051 x125

Please note that ACC approval is required in Units I, II & IV before removing trees taller than 6-8 feet. Check with your ACC. Additionally, the CSFS cautions that cutting or pruning of Piñon trees at times other than between November and March is more likely to increase the risk of Ips beetle infestation. Also, they discourage stacking and storage of Piñon wood because it may attract the beetles

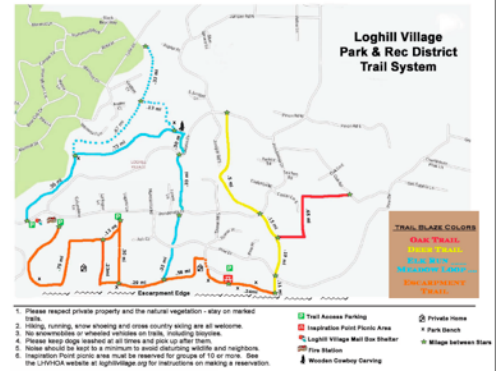


until the wood completely dries out. Burning is NOT allowed at any time in Greater Loghill Village. The same tactics apply to preventing loss of Ponderosa Pines to the Mountain Pine Beetle. The CSFS is one source of professional advice and additional information about any projects large or small, as well as Ips recommendations.

LHV Parks & Recreation Board

Several projects have been completed since the last newsletter. Maintenance upgrades at Inspiration Point included a new metal roof on the shelter and a new wooden top on the table near the grill. Construction was completed on a set of steps to ease access to the Elk Run trail head on Ponderosa Drive near the mailboxes. We are very proud of five new hefty log benches that we added to the trail system this past winter. These benches have great aesthetic value and will be extremely durable.

This past winter, in response to resident feedback, the Board revised the procedures for reserving Inspiration Point for groups of ten or more. The goals of this project were to provide a central access point for all reservation information and provide clear, easy to follow procedures for making a reservation. We created an on-line calendar to allow everyone to know when a special event is happening at Inspiration Point. The new calendar, rules, procedures, forms and contact information are available on the Loghill Village H&POA website at <http://www.loghillvillage.org/>



park.district.htm. If you are planning an event at Inspiration Point, this is where you should start. The Board thanks Judi Folga for her efforts in handling the Inspiration Point reservations for the past five years.

The Board would like to thank Roze Evans and Al Lowande for creating the new electronic version of the trail map, which is also available on the website mentioned above.

Residents are reminded that the trail system is bordered by private property. Please remain on the marked trails at all times. You may feel like you are in the woods, but you may actually be very close to someone's house, so please keep noise to a minimum. Dog owners are reminded to leash their pets and pick up after them. We would like to thank bicycle riders for adhering to the "no wheels" restriction on all trails.

Our regular board meetings are held on the second Tuesday of odd numbered months. Meeting notices are posted at the mail boxes, at Inspiration Point and at the trail head at the curve on Canyon Drive. All tax payers who own property within the Park District boundaries are welcome to attend. Our mailing address has changed to allow us to have a mailbox here on the mesa:

Loghill Village Park & Recreation District
180 Ponderosa Dr
Ridgway, CO 81432

- Lyle Nash



LHV Units I, II & IV Architectural Control Committee Report

All of us in Log Hill Village owe a great debt of thanks to Jim Kennedy for his ten years of service to the ACC, seven of those as chairman. Jim decided to step out of the chair's role as of February 1, 2011. He continues as a committee member and supports the group with his institutional history and excellent perceptions. Along with former and continuing members of the committee Jim developed the ACC Criteria and Standards document which helps interpret the covenants of the three units and is responsible for organizing the work and files of the committee. He also worked to develop a single committee to serve the three units in LHV. Thank You, Jim.

Current committee members are: Charles Carson, Roze Evans, Bill Hanson, emeritus, Jim Kennedy, past chair, Nancy Meyers, Dennis Michaud, Dickson Pratt, and Ted Rector, chair.

The past year was significant with the actions regarding the Verizon Tower which are addressed by Jim elsewhere in the Newsletter. The activity of the committee centered on reviewing plans for new garages, and for solar panel sites, fences, gates and new roofing and siding. At least three houses were completed and reviewed for final approval with only one new house review requested. Given the number of requests for activity that does not require a deposit, the committee developed a new No-Deposit Projects



Short Form which is now available on the web. In addition to the items listed above, excluding garages, the form can be used for fire mitigation and tree removal and very small accessory buildings.

If you have any advice or suggestions for the ACC, please contact one of the committee members.

Ted Rector
ACC Chairman

Community Activities

Our annual picnic was held on June 14th this year. We had about 80 attendees, a nice increase from the year before. We will now hold the picnic every year on the second Tuesday in June (June 12th, 2012) from 5:30 p.m. to 7:30 p.m. at Inspiration Point.

We also had a "Movie Night" this winter at the Divide Club House. Everyone who attended enjoyed themselves with a Mexican Buffet and a good movie. We will probably try to have at least one this year during ski season. Watch for the announcement on our web site and at the mail boxes.

There are copies of our "Newcomers" notebook available from either myself (Nancy Meyers, 626-9825) or Jane McGrath, 626-2653. If you are new to the area and we haven't gotten a copy to you, please give one of us a call. If you have been around a while and would like one, we would ask for a small donation to help cover the cost of printing.



Should you have any suggestions, questions, or wish to volunteer to help us with these activities, please contact me by phone (see above) or at lhvactivities@loghillvillage.org. We look forward to providing a way for our residents to meet each other and enjoy living in this wonderful place.

Officers, Board Members, Dues and Address Change Form

A mailer went out in late May to all home and property owners. Included in the mailing was a reminder regarding homeowner's dues and a change of address form. If you did not receive the mailing, please send an email to lvhsecretary@loghillvillage.org.

Jim McCarthy - President
Rob Ashmead - Vice President
Larry Meyers - Treasurer
Barbara Seelye - Secretary
Ted Rector - ACC Liaison
Jim Kennedy - At-Large Member
Al Lowande - At-Large Member
Nancy Meyers - Activities Committee
Jane McGrath - At-Large Member & Activities Committee

All officers and board members terms of office run through June of 2012. If you are interested in getting more involved with the LHV H&POA or joining the board, please contact any of the members listed above.

Living with Wildlife

The residents of Log Hill Village are both privileged, and sometimes burdened, by the rich wildlife in our backyards and on our roads: deer are numerous, cougar are occasionally sighted, wild turkeys are often plentiful, elk may arrive in the winter, coyotes are heard and sometimes seen from time to time, a growing number of the rare Abert's squirrels are making themselves at home, a large variety of birds arrive and depart with the seasons, and in recent years we have been discovered by a number of bears.

However, our presence is the greatest long-term problem for wildlife because we are just one instance of the general loss of wildlife habitat that has resulted from growth encroaching on their traditional territory in many places throughout the world. Here at the south end of the Uncompahgre Plateau, we have built our houses right in the middle of prime habitat. That is why we have so much wildlife. They were here long before we arrived. We did not intend to be a problem, and we cannot do anything to restore their habitat to its original condition—indeed growth will consume more and more of it, but we can co-exist in ways that do less harm:

Bears: keep all food sources securely stowed away. Use bear resistant trash cans available from your trash collection company, keep pet food in the house, and limit bird feeders to the months when bears are hibernating—December to April. Once bears have discovered a food source, they will return and teach their cubs to return, and they will eventually have to be killed by CDOW in order to protect you.



Deer: do not feed the deer at any time. Native plants are healthier for them, and deer have evolved to put on enough fat by

November to live through the winter if their energy is not wasted by moving to artificial feeding areas or running from dogs. Also, watch for deer on the roads and highways, especially during the fall and spring migration seasons.

Dogs: must be on your property or under your control at all times. Dogs cannot be allowed to chase big game animals because it wastes the energy of the wild animals and may change their habits to their detriment. During the fall mating season, bucks are a danger to both dogs and people; during the spring fawning season, does are a danger to dogs in the area of their fawns.

Cats: owners should do what they can to reduce predation by their cats, perhaps providing a bell on their collar to give prey a better chance. Cats do an enormous amount of damage to the bird population, especially when the young birds are just learning to fly. Chipmunks and ground squirrels also suffer. Free roaming cats are at risk from bobcats, coyotes, and cougars.

So, if you really care about wildlife, keep them wild and control your pets. For more information about wildlife, consult the CDOW web page <http://wildlife.state.co.us> or contact the CDOW office in Montrose, 252-6000. For immediate emergencies, call 911 or the local sheriff.

- Sara Coulter

Covenant Reminder

Please be sure to familiarize yourselves with the protective covenants associated with your property in Loghill Village and that protect the quality of life that we all enjoy here. The highest levels of complaints from residents continue to be associated with:

1. Barking dogs.

Please see Sec 4 "pets shall be restrained from leaving the premises of the lot upon which kept or harbored and they shall be controlled to such an extent and in such a manner that they shall not interfere with the pleasurable use of and occupancy of any other property within the subdivision".

2. Outdoor storage

Please see Sec 21 "no motor vehicle, towed vehicle, tent camper or boat shall be stored, placed, maintained, constructed or reconstructed at any location upon any lot from which it shall be visible from any adjacent lot or from any public roadway or from any park, greenbelt or bridle path".

3. Slash piles

Slash piles represent a very serious fire hazard to the entire community. Please remove or chip slash piles as soon as possible.

Additionally, there have been a significant number of incidents with bears this summer. Please do not put out your trash until the morning of pick-up and return the can to a safe storage location on the same day. It is recommended to use bear resistant trash cans.

Thank you - Rob Ashmead

Road Update

I have been in discussions with Chris Miller regarding coal cinders on the roads. They feel that liability concerns force them to do traction assist at every intersection and cinders are the only affordable option at this time. They agreed to the following two ideas to cut down the amount of cinders applied:

1. They will try to apply cinders only on the uphill side of an intersection, since anyone approaching from the downhill side gets a big assist from gravity in slowing down. This alone should reduce the total amount used.
2. They will monitor the weather forecast, and, when sunshine is likely to quickly follow their plowing efforts, they will reduce or eliminate cinder application, since the sun will quickly dry the road.

Unfortunately, it is likely that cinders will continue to be used for another 4-5 years. Due to budget constraints, it will take the County that long to fully transition to other (hopefully more desirable) materials for traction assist.

- Al Lowande



Log Hill Volunteer Fire Department

2010 was a relatively quiet fire year for Log Hill Fire. Out of 11 calls, two were notable; On Memorial Day, we had a 2 acre wildland fire which threatened a couple of structures on Wild Poppy Drive about 5 miles out Wisteria from County Road 1. In October, Montrose Fire requested our assistance with a large haystack fire off of Highway 550, and we dispatched our two 3000 gallon water tenders to assist them. The remainder of the 11 calls were false alarms or malfunctioning detectors.

This year, in late May, Log Hill Fire launched our new website at <http://loghillfire.org>. It contains information on the Log Hill Mesa Evacuation Plan, as well as about our volunteers, equipment and facilities. You can check it out for many fire protection links about mitigation and preparedness. Thanks to all who worked on it and to the Ridgway Secondary School Class of 2013 who took it on as a computer lab project.

Notifications: The Website includes information about how to get emergency notifications and we encourage all property owners to look at this. In an emergency, information from public safety officials may be available in a variety of ways.

1. During an emergency situation, the local Emergency Alert System may be used to broadcast messages on KKXK (FM94.1 & FM 99.3), KUBC (580 AM) and NOAA weather radio.



2. Safety officials may also use the Target Notification System, a system that attempts to deliver recorded emergency messages to the traditional wired phones (land-lines) in the affected area. The system uses a database of phone numbers and their physical addresses. If the system is activated, phones with physical addresses in the mapped area are selected from the database. An appropriate outgoing message is recorded, and the system attempts to deliver that message to the selected phones. Depending on the nature of the emergency, the system may attempt to leave a voicemail in the event the user does not answer.

3. Cell phone registration. The Target Notification system can also be used to contact cell phones, but if you want to receive voice and/or text emergency messages, you must register your cellular and mobile Internet phones in the system via the simple registration at www.westregion.org/en

(Please Note: Users must enter both a phone number AND a valid physical address at the time of registration. Emergency messages may incur mobile phone usage charges. Phones will only be contacted in the event of an emergency).

For those of you with cell phones, who work or who travel or even those who live part-time elsewhere, you can see the advantage of being able to receive emergency notifications. We highly encourage each of you to complete the registration at www.westregion.org/en

Thanks to each of you for your attention to fire mitigation of your property and for your watchfulness and reporting any suspicious smoke to 911 -- Both of these



efforts on your part has helped prevent or have helped us catch fires before they become a problem!

Thank you,
Tom Austin
Assistant Fire Chief

Wildflowers and Other Plants

If you would like to identify that mystery wildflower on your lot, I have pictures of many of the native plants of Greater Loghill Village here:

<http://nativeplantsofloghillvillage.shutterfly.com/>

And pictures of seven of our major noxious weed species are here:

<http://noxiousweedsofloghillvillage.shutterfly.com>

Control of these plants is required by state and county law.

Pictures of Tracy's thistle, a native wildflower and valuable wildlife plant, are here:

<http://tracysthistle.shutterfly.com/>

Please don't assume that all thistles are noxious weeds; there are about two dozen native thistles in Colorado, although Tracy's thistle is the only native found in our neighborhood.

-Dickson Pratt

Tower Appeal Status

As most of you have observed, Verizon Wireless has recently installed a communications tower on the escarpment that is over 50% taller – and with all its attached panels and dishes and width – much more visually obtrusive than the three preexisting towers. The tower property is owned by Dallas Creek Water Co (DCWC), which is legally obligated to abide by the covenants just as are all other property owners in Unit I. Verizon is leasing the site from DCWC.

DCWC requested Loghill Village (LHV) Unit I Architectural Control Committee approval for the tower, as required by Unit I covenants and by Ouray County Land Use Code. The ACC determined that this tower would be in flagrant violation of multiple sections of the covenants, including sections regarding antenna height and number, adverse visual impact, nuisance and potential harm to property values, desirability and marketability – the latter eloquently testified to in court by a local realtor who is a long time resident of LHV. No variances are allowed for putative “public welfare” or any other reason irrespective of individual opinions pro or con on this specific project. Testimony was given in court that the preexisting towers, in dramatic contrast to this Verizon tower, were not in violation of the covenants. The covenants had not been waived or abandoned. The members of ACC can be held personally liable for knowingly abetting gross covenants violations. ACC denied approval in 2008, and Verizon failed to submit revised plans that would make the tower approvable. The design became more objectionable over time, including changes that were made even after the BOCC had granted variances.

A Ouray County Building permit is required before construction of any significant structure or building. The County Building Department denied the building permit due to violation of sections of the Land Use Code regarding Visual Impact and because of lack of required ACC approval. The County Board of Visual Appeals also unanimously recommended against the tower due to Visual Impact violation. Nevertheless, the Ouray

Board of County Commissioners (BOCC) waived the requirements of the Land Use Code and required the building department to issue a permit. Verizon began construction before the January 2011 trial had even started.

The covenants allow individual property owners in Loghill Village (LHV) Unit I to seek legal remedy for covenants violations. The action against DCWC was necessary and appropriate to protect our private property rights and the enforceability of our covenants. The action against DCWC was heard in District Court in a two-day trial in January 2011.

The plaintiffs and many others who attended the trial were shocked and disappointed by the ruling of the judge in favor of DCWC and Jim Willey. That decision is being appealed. The plaintiff's (property owners) brief should have been filed by July 27, 2011, followed by a prompt response from DCWC and an answer from the plaintiffs. The case will then be heard by a three judge appeals panel, possibly in Denver. Financial contributions from LHV supporters, from the LHV Unit I ACC and from the LHV H&POA by vote of the Board have been generously provided to support this covenants enforcement action. A few individual property owners trying to protect their private property rights in LHV are at an unbelievable disadvantage when confronted with the virtually unlimited financial resources of Verizon Wireless, subsidized by our phone bills, the local water company financed by our water bills and County Commissioners and their attorney and staff paid by our taxes. Seems like a stacked deck in which the individual always loses. Other property owners have filed a separate suit against Ouray County and the BOCC challenging irregularities in the approval process. The unfavorable verdict in that suit is being appealed at this time also.

Our case has never been about the desirability of an improved communications system throughout the County, but this is not the only possible site for a tower or towers. In the opinion of many residents, it's hard to imagine a less desirable or less appropriate site for a very tall tower because of its location in one of the most scenic corridors in the

County and within a large residential subdivision sited specifically for its views. One communications expert testified at a preliminary hearing that this isn't even the best site. Furthermore, this current tower bears scant resemblance to the much less obtrusive tower initially proposed by the Colorado State engineers in 2007.

One shouldn't be complacent because this is not necessarily the last huge tower or collection of wind turbines that could be proposed for this location or elsewhere in LHV or along the escarpment. The objections to this tower can't be frivolously dismissed as a case of “not in my back yard.” This tower or similar obtrusive installations don't belong in anyone's scenic residential neighborhood – backyard or front yard – in this spacious County.

Jim Kennedy,
Former Chair LHV Units I, II & IV ACC and
current member of the LHVH&POA Board of
Directors

Save The Date in 2012!

2012 Annual Picnic June 12, 2012

2012 Annual Meeting July 17, 2012

Please note that these dates are tentative and subject to change. Stay tuned!