

TIMBER CREEK ESTATES HOA 2024 SPRING/SUMMER NEWSLETTER



Welcome Timber Creek Estates owners to the 2024 spring and summer season. Summit County continues to enjoy all seasons of the year.

We endeavor to communicate to you the progress on topics that you care most about through this newsletter twice a year and hope you read it thoroughly. We welcome feedback you might have anytime.

➤ **HOA Board Activity**

Your elected Board Members of the Timber Creek Estates HOA serve, as you expect, to ensure that the neighborhood remains safe, clean, and comfortable for all owners and guests. ***Since it is a HOA covenant-controlled community***, we aim to honor the enforcement of those Covenants and policies on your behalf. The Policies can be viewed on the TCE website under HOA Documents.

➤ **Timber Creek Estates Getting Closer to Final Buildout**

We continue to see a rapid increase of buildouts with new homes throughout Timber Creek Estates and welcome new residents since our last newsletter. New homes currently under construction are at 595 Whispering Pines Circle, 830 Whispering Pines Circle, and 710 Whispering Pines Circle.

➤ **Bill SB33, formerly Bill C or Bill 6, approaching Colorado legislative vote in 2024 (commentary by John Katok)**

Separate from TCE HOA business, your TCE neighbors who provide short term rental homes are being threatened with the proposed Bill SB33 which would change the tax designation from home rental to commercial business, like a hotel, and be subject to an increased tax rate from 7% to 28% for those who rent more than 90 days per year. They have been involved with fighting this for some time now, have already written letters to Rep. Julie McCluskie, dialoging with their PMs, and attending ZOOM webinars hosted by with our Blue River Mayor, Toby Babich, and the CLARA organization he founded, presenting the facts and study results which now proves how damaging this law will be to ALL homeowners, businesses, and services to our mountain resort towns.

Most STR homeowners will have to reduce from the 150 rental days average per year to under 90 which will result in a 40% loss in local tax revenue eliminating local jobs, severely impacting, and closing shops, stores, restaurants, and service businesses, etc. All businesses are opposed to this bill. Proponents push a false narrative that the increase in tax rates can be passed through to STR guests. It would make rental rates so uncompetitive that visitors will opt to go to Utah, Montana, and elsewhere.

These legislators and the Governor calculate a \$361 million increase in revenue giving them more ways to waste critical dollars on pet causes just to gain votes. The studies reflect unintended consequences of economic losses of over \$700mm which will cause local towns to increase taxes on everyone to make up the local tax losses. Non-rental homeowners may like to see STR homeowners pay more but they will too, and we all will realize a significant and immediate decrease in home valuations.

You may support defeating Bill SB33 by sending your letters to your legislators immediately.

➤ **Blue River Chain-Up Bypass Lane Status**

According to the Town of Blue River, to increase compliance with Colorado's Commercial Vehicle Chain Law, Passenger Vehicle Traction Law and Passenger Vehicle Chain Law, the Colorado Department of Transportation is designing a modified chain-up station at a location on CO 9 as the highway passes through the Town of Blue River. The proposed option will deliver operational benefits to motorists throughout the year. During the summer and other fair-weather conditions, the proposed improvement will serve as a shoulder bypass lane on southbound CO 9, adjacent to the Whispering Pines intersection, allowing motorists to safely maneuver around a motorist turning left into Whispering Pines. When any of Colorado's chain laws are in place, the shoulder bypass lane on southbound CO 9 will serve as a safe, designated chain-up station, so commercial and passenger drivers and their vehicles are prepared for the drive over Hoosier Pass. Signs, flashing beacons and a reduced speed limit will clearly show when the chain-up station is up and running. Delays have resulted in an adjusted forecast of completion for fall, 2024.

However.....

Your HOA and some independent TCE neighbors continue to voice opposition to the project to State Rep. Julie McCluskie and the CDOT in siting the project on Highway 9 across from the Town Hall. Our TCWD also has written letters of opposition and held a meeting with CDOT which revealed that the CDOT had never conducted an Environmental Impact Study (EIS) nor were aware of our well points located where poorly maintained leaking truck/vehicles would have to park to unchain. CDOT had submitted their application to the Town Manager, but it was incomplete and is going through more thorough preparation at this time. While some commuters crossing Hoosier Pass blame our opposition here as the reason trucks cannot chain up causing numerous accidents during bad weather, the fact is that truckers won't chain up if there is no enforcement, and if there is enforcement then trucks will back up down Highway 9 so far that it will stop the flow of traffic. All towns were opposed to this project for three years until Alma and Park County approved the chain up station on their side. Our side continues the fight to prohibit pollution by noise, lighting, smell, leaks, etc. to TCE and the pristine headwaters of the Blue River and surrounding area, including the choice of location right in front of the Town Hall entrance to TCE to accommodate up to 12-14 semi-trucks.

Refer to the Town of Blue River website for updates at <https://townofblueriver.colorado.gov/proposed-cdot-chain-up-bypass-lane>

➤ **Dark Sky Outdoor Lighting – Compliance greatly appreciated!**

The HOA recently notified several owners to modify or replace their lighting to meet current compliance standards especially given the increase in home buildouts in the neighborhood where the bright lights and spotlighting from some of those homes are distracting, invasive, and non-compliant with current requirements. **The HOA thanks the owners for addressing replacement and/or retrofits to accommodate the requirements.**

(Specifically, per the TCE Architectural Guidelines 2.9 - LIGHTING..... Exterior lighting must be downward cast or obscured to prevent light pollution and light trespass (cast light across property lines is light trespass). Spot lighting is only permitted for safe passage and must be controlled by motion sensor and be illuminated for limited duration. All exterior lighting must be of a low-level subdued intensity and shall be approved by the ARC before installation).

Please remember to turn off all exterior lighting after 10 P.M. so that residents may enjoy the fabulous skies at night and also avoid lighting glare into neighbors' homes (and bedrooms).

➤ **Fire Mitigation – 2024 Grant applications are now open. You must apply for the Grant by the April 12, 2024, deadline to participate in any reimbursement of the Defensible Space Program. The goal is for all property owners to participate.**

Fire safety is a top priority for our HOA. We encourage you to be proactive and do your part to help protect the neighborhood. Thank you to those who have already participated in the program! **For those of you who have not, please consider fire mitigation for your property this year.** The program is made possible through a grant with the Summit County Wildfire Council and is a terrific way to get dead trees and slash removed from your property as well as reducing fire danger at a fraction of the total cost. The 50/50 mitigation grant share is administered by TOBR who will then notify the HOA upon completion of the service following the Town incentive of \$100. The HOA will then disburse 25% of the total fee up to \$4,000 maximum, directly to the participating homeowner in TCE. (Note: The TCE cost share is a one-time only payment per homeowner/property. If mitigation work is completed over multiple years, TCE cost share is still a one-time only payment per property even if ownership changes).

Example: Total cost of mitigation:	\$10,000
Summit County 50%	- 5,000
Town of Blue River incentive	- 100
Timber Creek Estates HOA incentive	<u>-2,500</u> (25% up to \$4,000 max)
<i>Cost to Homeowner</i>	<i>\$2,400</i>

The Town will again partner with three specific contractors that owners may choose to seek bids from : Beetle Kill Tree Guys, Ceres Landscaping, Layman Tree Service, or TSH Tree Service. Please refer to the Town of Blue River website for more details or contact Guenther Dziuvenis on the HOA Board at kansascityhusker@aol.com.

➤ **Maintenance and Upkeep of Structure and Property**

One of the primary goals of the board and the architectural committee is helping to protect our property values. Having high standards for the look and feel of our homes sets us apart from many other neighborhoods in the area. An area of focus during 2024 will be addressing overall home maintenance (including repairs, replacements, siding, painting, staining, roofs, etc. of the home exteriors) and overall property upkeep.

It is highly recommended that owners conduct a personal assessment of necessary repairs/upkeep as there are growing concerns regarding general properties in need of updating/repair. All properties are required to adhere to Sec. 8.15 of the Covenants under Maintenance of Property. You may also be notified directly by the Architectural Committee if your house is identified as one needing such repairs.

Remember to seek approval from the Architectural Committee as required. Inquiries can be sent to the ARC Committee via Rick Cummins at cumminsretreat@yahoo.com (also see the Timber Creek Estates HOA website) for outreach, guidance and/or approval submissions.

➤ **Noxious Weeds – Please act on and uphold your responsibility as a TCE homeowner**

Another 2024 area of focus is to address noxious weeds that are currently out of control due to homeowner neglect. The HOA will be contacting owners early this July who have properties in need of such maintenance. You can (a) remove weeds yourself (b) pay a local lawn service or hire the Boy Scouts for a nominal fee to remove the weeds or (c) provide permission, through the HOA board, to allow your neighbors to remove or kill your weeds and be recognized as Good Neighbors at the next Annual Meeting.



It is important to stay in compliance with weed control throughout all the Timber Creek Estates homeowner lots – especially the very toxic **False Chamomile** that spreads into other homeowner’s groomed areas. This weed looks “daisy-like” but is “ferny” and is illegal on the land and **MUST** be mitigated. Some homeowners’ lots are so overcome by this weed that it can become the only thing growing around their homes. **Please act upon proper removal of these weeds and their entire root system**, as they are easy to pull, but they are so noxious that they must be put into a thick, black plastic bag to avoid further spreading of the seed. Just pulling it and casting it aside does no good as they still seed. The Town of Blue River has adopted its own Plan and set of Guidelines, so please refer to their website at <https://townofblueriver.colorado.gov/weed-seed-program>.

➤ **Timber Creek Estates Architectural Committee – REMINDER: When Approvals are Required**

In addition to Town of Blue River Building codes, the TCE Architectural Committee is responsible for approving and enforcing specific Guidelines relating to building, remodeling, and landscaping. This includes (but not limited to) material, roofing, siding and/or painting changes, exterior lighting, landscaping (including outdoor décor, playground equipment, dog runs, etc.). Any changes or updates must be approved by the Architectural Committee. For details on architectural committee guidelines, here is the link to the architectural guidelines: <https://www.timbercreekestates.org/architectural-guidelines>

Please be sure to contact Rick Cummins on the ARC Committee at cumminsretreat@yahoo.com (also see the Timber Creek Estates HOA website) for outreach, guidance and/or approval submissions.

➤ **Short Term Rental Guest Guidelines**

We encourage Owners to post instructions for renters of the Covenants and Town of Blue River key ordinances. Important to note are limitations regarding lighting after dark, noise, and trash pickup days. Remember that owners can be fined for their renters' non-compliance by either the HOA and/or the Town of Blue River. We kindly ask that if you rent out your home (or have guests staying there when you are not) you consider posting the Short-Term Rental Guidelines sheet found on our website at timbercreekestates.org under RESOURCES.

Occupancy Limits - During the period of any short-term rental, the dwelling unit may not exceed an occupancy of two (2) persons for each bedroom (as defined by Section 6-1-20) plus a total of two (2) additional persons . **For example, a two-bedroom residence shall be limited during the period of any short-term rental to a total occupancy of six (6) persons.**

If you are found to be falsely advertising the number of occupants per the Town of Blue River definition or if a code complaint is filed, you may receive a notice of violation and/or ticket and revocation of your short-term rental license by the Town of Blue River.

Parking – up to 5 vehicles maximum are allowed on property – All vehicles must be parked only in the property's driveway or garage. There have been incidents where vehicles have been randomly parked on other owners' properties without permission, or on the side of the road or in cul de sacs (which is not allowed). Police may be called to ticket such vehicles, so please advise renters/property managers appropriately.

No Trespassing – Owners continue to experience renters trespassing onto their properties. Please remind renters that all properties are owner lots and not open forest land for their access or use. Refer to the Town of Blue River for access to trails outside of TCE.

Non-compliant behavior or noise annoyance from renters or homeowners should be reported to 970-668-8600 (non-emergency dispatch) to have a Town of Blue River officer respond.

➤ **Wildlife**

We have moose, elk, bears, and coyotes in our neighborhood, so please keep a safe distance away from and do not feed these large animals. Do not leave unattended hammocks or netting outside as these large animals can become entangled and unable to break free. Last year, there was a presence of several bears in TCE looking for hummingbird feeders, so beware.



➤ **Recreational Equipment parked on your property - REMINDER**

Per Sec. 8-20 of the Covenants, no recreational equipment may be stored on a Lot or Tract unless completely enclosed in a garage or attached accessory structure. Recreational equipment that is parked on a Lot or Tract for a period of 10 consecutive days or 30 days or more in a cumulative calendar year will be treated for the purpose of this Declaration as being stored and thus, not allowed.

➤ **Homeowner and Property Manager Contact Info**

Our Timber Creek Estates HOA “directory” contains your contact information that you specifically agreed to share with one another. This helps the neighborhood become a more close-knit community looking out for our homes and who can notify you or your PM if there is a problem, such as trees down, garage doors left open, guests parking on the street, etc. It was recently distributed to all via email and will be updated annually. If you are interested in adding your name to this directory, please notify any one of us on the Board.

The Board will also be communicating with owners **via email** more frequently rather than using general mail. Please provide us with your email and phone numbers along with your Timber Creek address for Board only communications. You can send your information to any Board member email shown below. If you rent out your property, please also provide your property rental manager’s information. This will greatly help our neighborhood!

➤ **Our Websites**

Please be sure to add our website to your Favorites: www.timbercreekestateshoa.org. You should be able to navigate pertinent information with relative ease. We hope you find it more user – friendly and accessible.

FACEBOOK Group – We have established a Facebook **Timber Creek Estates Neighbors** Page. Please feel free to join it and post pertinent information including buying/selling items, wildlife sightings and photos.

➤ **Our Timber Creek Social Summer Neighborhood Happy Hours**

Don’t be surprised if you find yourself invited to any number of impromptu “happy hours” at various owner homes throughout the summer. It usually is “bring your own drink and chair” and voluntary appetizer contributions and a way to socialize amongst neighbors.

➤ **Town of Blue River information and code enforcement**

If you would like to receive up-to-date information via email from the Town of Blue River, please go to the town website at: <https://townofblueriver.colorado.gov> and click on the sign up for newsletter link or call the Town Hall at 970-547-0545. Code Complaints should either

go through our online access or call 970-668-8600 (non-emergency dispatch) to have an officer respond. Important reminders include:

- *Trash may not be placed (including empty cans) curbside until pick up day and must be removed promptly. Bears are present in our neighborhood, so secure trash appropriately and arrange for pick up.*
- *There is no parking on Town roads, including cul-de-sacs. The Town Code limits the number of vehicles allowed in a driveway/parking space to five per household.*
- *Fire permits are required. Please observe any fire restrictions. Owners are encouraged to prevent renters from using any firepits.*
- *Be courteous to neighbors. Blue River has many full-time homeowners who work in the area. Please observe quiet hours and be respectful of property boundaries. Please do not sled or ski across neighboring properties.*
- *This is a "dark sky" neighborhood, so please turn outdoor lights off after 10 p.m.*
- *Renters are not allowed to use the Goose Pasture Tarn.*
- *The speed limit on all Town Roads is 15 mph.*

- **NEXT ANNUAL TCE HOMEOWNERS MEETING** – Our homeowners attended the last Annual Meeting on July 22, 2023, in force with 54 in person and five by ZOOM. The Town Manager, Michele Eddy, the Red, White and Blue Fire Marshall, Capt. Matt Benedict, town Police and our Water District reps attended also. The BBQ afterwards was excellent. Everyone enjoyed the opportunity to meet and get to know all their neighbors. **Please mark your calendars, tentatively scheduled for July 27, 2024, for this year's Annual Owners Meeting. The venue will be the same as the meeting held at 277 Whispering Pines Circle and a BBQ following immediately afterwards.**

We appreciate your involvement and input, so please feel free to reach out to any of us on the TCE Board.

Timber Creek Estates HOA Board

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