



## Manager's Memo

Dear Eby Creek Mesa HOA Members,

Spring is here, and with it comes a sense of renewal and growth. It's a great time to reconnect with Eby Creek's vibrant community. In this newsletter, we've compiled project updates and highlights to keep you informed and engaged.

As always, your feedback and contributions are invaluable to us. [Please take a moment to share your feedback in the Q2 2024 Community Survey](#), where you'll have the option to weigh in on the following:

- Rules & Regulations Survey: Campers, Trailers & RVs
- Vote for the New HOA Logo
- Participate in the Seasonal Photo Competition

For those viewing this newsletter electronically, you can access the survey using the link above. It will also be linked on the homepage of the HOA website at [www.ebycreekmesahoa.com](http://www.ebycreekmesahoa.com)

If you have any suggestions, stories, or announcements you'd like to share in future newsletters, or you have any questions or concerns in the meantime, please don't hesitate to reach out directly at [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com). I aim to respond within 1-2 business days. My primary goal is to work closely with all residents, ensuring that Eby Creek remains a harmonious and thriving place to live.

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# Events

## Annual Meeting of the Members

Wednesday, May 8th, 2024

7:00 PM - 9:00 PM

Location: Eagle Valley High School, Gypsum, CO - Lecture Hall  
Virtual Participation via Google Meet

*For more information, please reference the Annual Meeting section of the newsletter below, or the notice included in this packet.*

## Wildfire Preparedness Day

Saturday, May 11th, 2024

12:00 PM - 2 PM

Location: Eby Creek Mesa Park Pavillion

*For more information, please reference the Wildfire Mitigation & Yard Waste Removal (Chipping) section of the newsletter below.*

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## Share Your Feedback: Q2 2024 Community Survey

### **Camper, Trailer, & RV Screening Survey**

As the association's governing documents are currently written, campers, trailers, and RVs are to be fully screened from view. It has become necessary, however, to further clarify this provision to eliminate confusion and ensure fair and consistent enforcement. While the Board works to produce these new policies, members are invited to offer feedback through the Q2 2024 Community Survey.

### **Vote for the New Eby Creek Mesa HOA Logo**

The new logo will be used on the website, neighborhood communications, and organizational documents.

[» Take Survey Now](#)

*A link is also available on the home page of the HOA website at [www.ebycreekmesa.com](http://www.ebycreekmesa.com)*

### **Share Your Season's Best Shots**

Calling all photographers in our community! Do you have stunning snapshots capturing the essence of our neighborhood in all its glory? Share your favorite photos from this season's adventures, whether it's the cozy winter scenes, the blooming spring flowers, or the perfect sunny day. The winning submission will be featured as the header for our next newsletter.

Please email high-resolution images to [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com).

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# Community Briefs

## Annual Meeting

**Meeting Notice:** In the newsletter packet, you will find the following information and documents related to the annual meeting:

- Time, Date, and Location of the Meeting
- Approved 2024 Budget (set for ratification during the meeting)
- Forms for Vote Proxy & Self Nomination for Board of Directors
- Annual Disclosure

**Board Vacancies:** The Board is scheduled to have one or more vacancies moving into the current term, and it would like to solicit nominations for those interested in volunteering for a Board position. The roles and total number of vacancies are yet to be determined, but the Board would be thrilled to have the involvement of those seeking to participate. If you are interested in volunteering for a Board of Directors position, please complete and return the self-nomination form included in this packet no later than 5/1/2024.

**Rules, Hybrid Format & Proxies:** The Annual Meeting of the Members will be held in accordance with the *Association's Amended and Restated Policy Regarding Conduct of Meetings*, available for reference at <https://ebycreekmesahoa.com/documents/>. Please review the policy in advance to ensure that the meeting may be run in an efficient and respectful manner.

The Association will be piloting a hybrid format for the Annual Meeting, allowing members to choose to participate in person or digitally via the online meeting platform. Those who choose to participate virtually will be entitled to make a comment during the public comment portion of the meeting, provided that the audio/video equipment allows said functionality.

Voting via electronic means is not available, and any member wishing to cast a vote for elections to the Board of Directors, or any other matters, will be required to have a proxy vote in person on their behalf. Proxies may be established using the Proxy form included in this packet. All proxy forms must be received via email to [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com) no later than close of business on 5/1/2024.

**2024 Approved Budget:** Please take some time to review the 2024 Budget, included in this packet, in anticipation of the Annual Meeting. The proposed increase in dues reflects a desire to prioritize projects that represent value to the community, such as additional chipping/fire mitigation initiatives, improvements to the Association's website and communication channels, a reserve study to help ensure that the Association is financially prepared to maintain and replace aging components of its infrastructure, and more.

## Property Management

### Wildfire Mitigation & Yard Waste Removal (Chipping):

**Chipping:** With funds from Eagle County, the Association aims to perform multiple events throughout the season, tentatively planned for May, July, and September. The Board is exploring curbside options this year, which may occur in lieu of consolidating debris in a pile in the park. This means that piles of debris **should not be brought to the park** until further communication is issued. For guidelines on acceptable materials, please see below.



# COMMUNITY SLASH REMOVAL/CHIPPING PROGRAM

### What we DO want:

- Trees, logs and branches up to 15 inches in diameter.
- All materials must be free from wire or nails.
- HIGH, neatly stacked piles.
- Piles must be clear of vehicles.
- Piles within 5 feet of roadway (not on road or sidewalk).
- Piles smaller than 2 cubic yards should be combined with neighboring piles if practical.



### What we DON'T want:

- No construction materials or treated lumber.
- No rotten wood, root wads, stumps, dirt or rocks.
- No grass clippings, trash, weeds, or bags of leaves.
- No piles on the road or any paved surface.
- No piles in ditches or depressions.
- Do not place piles directly under power lines, near gas meters, phone/utility pedestals or mailboxes.



**\*NON-CHIPPABLE ITEMS WILL NOT BE PICKED UP\***

If curbside chipping is authorized, branches should be stacked as in the photo below. The thick or cut end should be toward the street, within 5' of the road (but please not on the road). Please share this information with your neighbors.



**Wildfire Preparedness Day:** The Eby Creek FireWise Board will host this event at the Park Pavillion on May 11 from 12 -2 PM. Come listen to updates on Eby Creek mitigation projects, have discussions with Eagle Valley Wildland team members, explore wildland fire apparatus, learn more about the projected wildfire outlook for this year, and MORE!

Food, refreshments, and prize gift cards from Ace Hardware provided by Will Comeford State Farm.

**Vail Valley Waste Removal:** Vail Valley Waste is happy to pick up three extra bags of yard waste with each pick-up at no additional cost. Any bags beyond the three free are just \$1 each unless they are very heavy, in which case they charge \$2 per bag. This should help with smaller piles of debris before or between the chipping events throughout the season.

### **Non-Resident Use of Park**

There have been many recent issues with nonresident usage of the park. Solutions include:

- **Signage will be modified** to note that usage by anyone other than residents and their guests constitutes trespassing, and trespassers will be prosecuted. The signage will also seeks to establish “quiet hours”
- **If trespassers are present**, homeowners are welcome to ask them to leave and contact law enforcement if they do not comply. Homeowners are not to attempt to enforce these measures on their own. If signage and frequent communication with law enforcement do not solve the issue, additional measures will be considered in the future.

### **Park Repairs**

The following park repair projects are slated for completion in the near future:

- Repair of the lattice at porta-potty enclosure
- Removal of the fence between the parking lot and fields

## Covenant Enforcement

### **Focus on Campers, Trailers, and RVs**

Broad-scale notices have been issued to those whose campers, trailers, or RVs are parked on property and not screened from view. Those without previously approved screening plans will be encouraged to submit screening plans via the application for modification available on the Association website, or remove the vehicle/trailer from the property.

**Rules & Regulations Survey:** The Eby Creek Mesa HOA's Governing Documents currently states that, "campers, trailers, and RVs are to be screened from view". It has become necessary to further clarify this provision to eliminate confusion and ensure fair and consistent enforcement. While the Board works to produce these new policies, members are invited to offer feedback through the Q2 2024 Community Survey. The available options are as follows:

1. Fully screened from view.
2. Homeowners may submit a screening plan to the Board, taking into consideration the environmental factors of the lot. Approvals given on a case-by-case basis.
3. Vehicles may only be stored on property for 1-2 days prior to trip and 1-2 days after trip.
4. Protrusion of 18 inches feet above fence is acceptable, but any visible protrusion would have to be screened with a tasteful, neutral-colored tarp

### **Street Parking**

Street-parked vehicles throughout the community continue to pose safety concerns due to obstructions of sightlines and specific "pinch points" that make it difficult for vehicles to navigate narrowed streets. As a reminder, parking in the road right-of-way, measured 60 feet total and 30 feet from the centerline, is prohibited by county traffic codes. Many homeowners choose to use the gravel areas along the roadways for parking, however, for many properties this is a violation of the Eby Creek Mesa HOA's Governing Documents as well as the right-of-way restrictions from the county. The exact width and location of the right-of-way can also be determined by referencing Eagle County GIS maps. We encourage homeowners to reference these maps to determine whether parking practices may not be compliant with the stated restrictions. Instances of non-compliance will be turned over to the county for enforcement.

## Community Engagement

### **Homeowner Portal**

We are in the process of developing a homeowner portal that will allow homeowners to list key contacts for the member, opt-in to electronic correspondence, add tenant contact information, and other critical functions. This will help ensure that useful information can be more efficiently distributed to the community, allowing for improved engagement between the Association and Community Members. Please be on the lookout for additional information to create a member account in the coming months.

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## Your Voice

Please reach out with any questions, concerns, comments, and feedback. Your contributions will guide us in making Eby Creek Mesa a more vibrant, welcoming, and safe place to live.

Zach Daly

*Association Manager*

**Eby Creek Mesa Homeowners' Association**

e: [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com)

w: [www.ebycreekmesahoa.com](http://www.ebycreekmesahoa.com)

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# Eby Creek Mesa

EBY CREEK MESA HOMEOWNERS ASSOCIATION, INC.  
2024 Annual Disclosures  
April 1st, 2024

The following information is provided to Members of the EBY CREEK MESA HOMEOWNERS ASSOCIATION, INC. pursuant to C.R.S. 38-33.3-209.4:

1. **Association Name:**  
EBY CREEK MESA HOMEOWNERS ASSOCIATION, INC., A COLORADO NONPROFIT CORPORATION
2. **Association's Designated Agent/Management Company:**  
OMNIVENTURE ENTERPRISE CONSULTING, LLC DBA OMNIHOA
3. **Address & Phone Number:**  
EBY CREEK CREEK HOMEOWNERS ASSOCIATION, INC.  
PO BOX 1795  
EAGLE, CO 81631  
(970) 306-7798
4. **Common Interest Community Name:**  
EBY CREEK MESA SUBDIVISION, EBY CREEK MESA HOMEOWNERS ASSOCIATION, INC.
5. **Initial Date of Declaration Recording:**  
OCTOBER 28, 1981
6. **Recording Number of Initial Declaration:**  
RECEPTION NO. 227999, JOHNNETTE PHILLIPS EAGLE COUNTY
7. **Fiscal Year:**  
JANUARY 1

The Association's documents can be obtained through the Eby Creek Mesa Homeowners' website under the Documents tab (<https://ebycreekmesahoa.com/documents/>). Current owners may obtain Association documents not intended for resale use by contacting Eby Creek Mesa HOA at [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com).

# Eby Creek Mesa

## EBY CREEK MESA HOMEOWNERS' ASSOCIATION NOTICE OF ANNUAL MEETING 2024

Pursuant to Sections 3.0 and 5.0 of ARTICLE IV of the By-laws of the Eby Creek Mesa Homeowners' Association, that the Annual Meeting of the Members of the Association for the purpose of electing directors and the transaction of such other business as may properly come before the meeting will be held on the date and at the time and place stated below:

Notice of this meeting shall be sent to the members of the Association not less than fifteen (15) nor more than thirty (30) days prior to the date of the meeting:

Date of Meeting: Wednesday, May 8, 2024

Place of Meeting: Eagle Valley High School – Lecture Hall  
641 Valley Rd  
Gypsum, CO 81637

Video Conferencing: Video call link: <https://meet.google.com/ewc-vwea-ydi>  
Or dial: (US) +1 510-937-0128 PIN: 897 591 821#  
More phone numbers:  
<https://tel.meet/ewc-vwea-ydi?pin=2358604210434>

Links available at [www.ebycreekmesa.com](http://www.ebycreekmesa.com)

Time of Meeting: 7:00 - 9:00 pm

Dated this 17<sup>th</sup> day of April 2024.

Voting via electronic means is not available, and any member wishing to cast a vote for elections to the Board of Directors, or any other matters, will be required to have a proxy vote in person on their behalf.

Financial and compliance documents are available on the Association's website at [www.ebycreekmesahoa.com](http://www.ebycreekmesahoa.com). Physical copies will not be provided.

Please email your request for discussion topics to be added to the agenda to [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com) .



<b>Category</b>	<b>Budget</b>	<b>Per Unit (Budget)</b>
Income		
Homeowners Dues	\$ 95,460.00	\$ 430.00
Wildfire Mitigation	\$ -	
Interest - Finance Charges	\$ -	
Interest Earned	\$ -	
<b>Total Income</b>		
Expense		
Accounting	\$ 2,000.00	\$ 9.01
Administrative	\$ 500.00	\$ 2.25
Bank Charges	\$ 50.00	\$ 0.23
Code Enforcement	\$ 12,000.00	\$ 54.05
Electric	\$ 500.00	\$ 2.25
Fire Mitigation	\$ 5,000.00	\$ 22.52
Garage Sale	\$ 50.00	\$ 0.23
HOA Picnic	\$ 5,000.00	\$ 22.52
Insurance	\$ 5,500.00	\$ 24.77
Legal	\$ 5,000.00	\$ 22.52
Management	\$ 12,000.00	\$ 54.05
Meeting Expense	\$ 300.00	\$ 1.35
Park Maintenance	\$ 10,750.00	\$ 48.42
Park Repair	\$ 1,000.00	\$ 4.50
PortaLet	\$ 2,100.00	\$ 9.46
Postage & Freight	\$ 1,000.00	\$ 4.50
Software	\$ 1,000.00	
Snowplowing	\$ 3,000.00	\$ 13.51
Subdivision Improvements	\$ 1,000.00	\$ 4.50
Trash	\$ 1,300.00	\$ 5.86
Water	\$ 18,500.00	\$ 83.33
Website	\$ 2,000.00	\$ 9.01
Reserve Study	\$ 5,000.00	\$ 22.52
<b>Total Expense</b>	\$ 94,550.00	\$ 425.90
<b>Net Income</b>	\$ 910.00	\$ 4.10

# Eby Creek Mesa

**SELF-NOMINATION AND ACCEPTANCE FORM  
EBY CREEK MESA HOMEOWNERS' ASSOCIATION, INC.  
BOARD OF DIRECTORS ELECTION  
MAY 8, 2024**

**Candidate Information:**

Full Name (as it will appear on the ballot): \_\_\_\_\_

Street Name and Number: \_\_\_\_\_

Mailing Address \_\_\_\_\_

Mailing Address City \_\_\_\_\_

Mailing Address State \_\_\_\_\_

Mailing Address Zip \_\_\_\_\_

Email Address \_\_\_\_\_

**Nomination Statement:**

I, \_\_\_\_\_, hereby nominate myself and accept this nomination for the office of Director for a three-year term on the Board of Directors of the Eby Creek Mesa Homeowners' Association, Inc. at the regular election on May 8, 2024, and will serve if elected. I affirm that I am an eligible elector of the Eby Creek Mesa Homeowners' Association, Inc. and am an eligible elector as of the date of signing this Self-Nomination and Acceptance Form.

**Date:**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2024.

**Candidate Signature:**

Printed Full Name of Candidate: \_\_\_\_\_

Signature: \_\_\_\_\_

Property Address: \_\_\_\_\_

**Submission Instructions:**

This form must be returned via email to [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com) no later than 5 business days prior to the election at the annual meeting.

**Note:**

The number of Board vacancies and positions is yet to be determined.

# Eby Creek Mesa

## PROXY

**KNOW ALL PERSONS BY THESE PRESENTS** that pursuant to Colorado Revised Statutes

7-107-203, I/we \_\_\_\_\_, member(s) of Eby Creek Mesa Homeowners' Association, a Colorado non-profit corporation based in Eagle County, Colorado, hereby appoint:

Kevin Kromer, president of the Association,

or \_\_\_\_\_

(Please check one) as my/our true and lawful attorney and proxy with full power of substitution and revocation, to represent and vote on my/our behalf at the 2024 annual meeting of the members of the Association. This proxy is authorized to vote on any and all matters that may lawfully be considered at the meeting with the same force and effect as if I/we were personally present.

**Ratification and Revocation:**

I/we hereby ratify all actions taken by the proxy within the designated period concerning any matters. This proxy supersedes any prior proxies previously granted for the same membership votes. This proxy may be revoked by delivering written notice of revocation to the Association or by the undersigned's personal attendance at the 2024 annual meeting, at which time this proxy will automatically be revoked.

**Validity of Facsimile:**

A facsimile or electronic copy of this proxy shall be deemed valid and may be substituted for the original for any purpose for which the original proxy could be used.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Property Address

This form must be returned via email to [manager@ebycreekmesahoa.com](mailto:manager@ebycreekmesahoa.com) no later than 5 business days prior to the annual meeting.