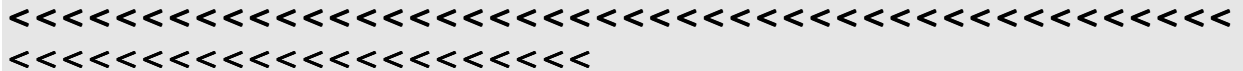




DISCOVERY HOMEOWNERS ASSOCIATION

www.DiscoveryHOA.com

NEWSLETTER –JULY, 2009



DISCOVERY HOA BOARD OF DIRECTORS

President	Randy Cubero	7163 Wintery Loop	599-4535
Vice Pres/Treasurer	Jerry Farney	7220 Delmonico Dr.	599-0519
Secretary/Administrator	Jan Doran	7147 Wintery Loop	598-9075
Architectural Control(<i>Interim</i>)	Roger Boehnke	280 Buckeye Dr.	599-7116
Covenant Comp. Chair	John Dwors	550 Wintery Circle N	590-9460
Webmaster	Lynn Sim	550 Buckeye Dr.	531-0540



President's Corner

Two Important Decisions to be voted on at our Annual Meeting on November 12th, 2009.

This last newsletter period has been somewhat troublesome for our Association with two legal cases that required the services of legal counsel in order to resolve covenant issues with individual homeowners in our subdivision. What is lamentable is that these legal expenses were unnecessary in that the Association attempted to direct our differences of opinion to a mediator instead of going through a lengthy legal hearing that required both sides to be represented by legal counsel. In both cases, however, the homeowners decided that they would not participate in a mediation process and that decision drove the Association into two full blown and expensive legal battles. In the future we hope that by a vote of the membership at our annual meeting we will have the authority with a Bylaws change to force a homeowner into a mediation process before considering a more expensive legal battle in resolving our conflicts. Furthermore, if the mediation process fails to produce a mutually agreed upon resolution of our conflicts then the mediation process converts to a mandatory arbitration process with the mediator becoming the arbitrator responsible for a final and binding resolution. We,

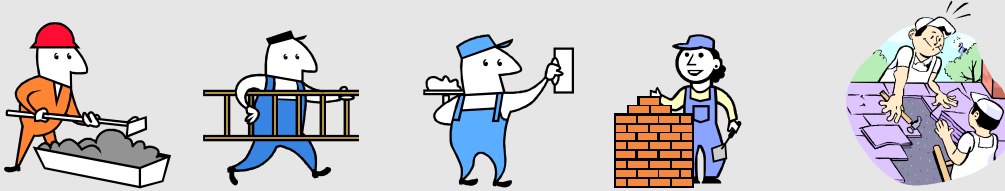
therefore, implore all our homeowners to vote approval for our “Alternative Conflict Resolution Procedure” that will be explained to everyone at our Annual Meeting in November 2009.

The second issue is about service to our Discovery Sub-division. By a vote of the attending homeowners at our annual meeting, we would like to propose that we establish term limits in our Bylaws for all our members of the Board of Directors. I have served as President now for approximately seven years and know that a number of our other Directors have served as long, if not longer. Currently we serve the Discovery community in a sincere effort to enhance our property values, foster security and safety in our neighborhoods and improve communications among our members, especially about the covenants. We all serve voluntarily without compensation and feel a strong obligation to participate for the sake of maintaining the beauty and quality of our wonderful community. It is this obligation that needs to be shared by everyone who has enjoyed living in our community. It is for this reason that I feel a three year term with a two term limit be instituted in our Bylaws at our next Annual Meeting. This will require that conscientious community members step forward and become Directors when the current Directors can no longer serve. I think back to General George Washington’s exhortation to the citizen-soldiers of these thirteen original colonies that if they desired to live in freedom they were also obliged to defend that freedom whenever it was threatened. Similarly, we feel that if we want to live in a high quality and beautiful neighborhood we, the homeowners, are all obliged to defend those qualities if we want them to be maintained and enhanced. We, therefore, implore all our homeowners to vote approval for “term limits” that will be explained to you at our Annual Meeting in November.

One final comment that ties these two issues together. It became apparent to all of us on the Board that in these last two cases mentioned above, both homeowners with whom we had engaged in a covenant legal dispute, looked upon the Board as some foreign organization set up to harass and subjugate their desires to do something outside the covenants. By keeping only a few Directors on the job for long periods of time on the job, the perception does become that the Board is really being directed by the judgment of a few, an elitist view. Conversely, by continually refreshing the membership on the Board we strengthen our position that the Board is made up of members that truly represent the entire community in a much broader sense, a more democratic view. We will then need for other Discovery homeowners to carry the banner when it comes time to select new members to the Board. Please consider serving on YOUR Board of Directors whenever a vacancy exists!!

ARCHITECTURAL CONTROL COMMITTEE (ACC)

Interim Director –ACC Chairman – Roger Boehnke 599-7116



Architectural Control Committee Reminiscing

In October 1972, the DELD Corporation (the developer of the Discovery Subdivision) submitted plats to the City Planning Commission for Discovery Filings 1 and 2 (Buckeye Drive). By 1974 the lots were ready for sale, the cheapest was \$7,700 and there were only two lots priced over \$20,000. Whoever thought anybody would actually pay \$20,000 for a lot? The DELD Corporation, the Covenant “Declarant”, retained architectural control.

In June 1977, the president of DELD (Ed Rudolph), wrote a letter to the property owners in Filings 1 and 2 and stated that all of the lots in Filings 1 and 2 had been sold and that Covenant compliance would be turned over to a new Architectural Control Committee (ACC) of property owners as of July 1977. On January 28, 1980, the “Amended Declaration of Covenants” placed all 9 Discovery Filings under one Covenant. This Covenant named six people to the Architectural Control Committee and also named these people as Board of Directors for the Discovery Homeowners Association, a nonprofit corporation.

Since 1977 there have been over 14 ACC Chairmen and many members on the Committee. They have had to make some tough decisions that did not always please everybody. But, I think every member made decisions that they thought were in the spirit of the Covenants and the best for Discovery.

In 1974, the area that is now Wintery Circle and Wintery Loop, was bare, eroded, and torn up from motorcycles. There were few if any trees in the Wintery Loop area. Trees on the ridges were full of Pine Beetle and Dwarf Mistletoe. The DELD Corporation cleaned out most of the infected trees and planted 100, eight to twelve feet high, Ponderosa Pines in Filing 6, the Wintery Loop area. For over thirty years the homeowners have planted trees and shrubs so that now when you look from one side of Discovery to another, it looks better than it did 35 years ago.

Is there a grade for 30 plus years of an ACC run by property owners? Maybe a B grade, not perfect, but they have kept Discovery looking pretty nice.

Roger Boehnke

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COVENANT COMPLIANCE

John Dwors – Chairman

The following article is based on my observance as a member of the Discovery HOA Board

The **TOP TEN** Covenants that are typically addressed by the Board of Directors:

1. ACC approval for a project: Changes to the exterior of your home or property will need approval of the Architectural Control Committee*.

If it is not an approved project it then becomes a Covenant Compliance issue as it is a Covenant violation.

**Every newsletter has an approval form on the back page. There is also a form on our website – www.DiscoveryHOA.com*

Note: Article and Section applying to the following are taken from the Amended Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Discovery Homeowner Association that you received when you purchased your home.

2. Fencing (Article III, Section 8): Fencing is allowed after approval and should be in “limited” areas of the yard and property. **Yes, it also needs ACC approval before you proceed.**

3. No Nuisances (Article III, Section 14): this intentionally mentioned in the covenants so that our neighborhood maintains a friendly and desirable place to live. If your activities bother your neighbors, these may be a nuisance and will be addressed. Nuisances include; unsightly objects on your property, loud music, barking dogs and activities that may be an annoyance to your neighbor and the homeowner association. As with all covenants, common sense and fairness are the watchword and direction the board will follow. If in doubt – see #10.

4. Vehicle maintenance and repair (Article III, Section 21) is not allowed. This particular covenant also addresses vehicles stored in other areas other than the interior of your garage (**Article III, Section 13**). Cars, trucks, boats, RVs and commercial vehicles shall not be stored or parked on any lot. There are very reasonable rates for the storage of these types of vehicles very near our neighborhood. Pickup trucks larger than $\frac{3}{4}$ ton are also not allowed unless they can be stored inside the garage or out of view of neighboring lots.

5. Storage sheds (Article III, Section 1): If you would like to add some storage area to your home you need ACC approval. Sheds are not allowed unless approved by the ACC. There are some circumstances where they might be allowed with some very specific restrictions. Please get ACC approval.

6. Garbage and junk (Article III, Section 12): Please store your trash containers inside your garage until the day of trash pick up. Take a quick look along the sides of your house – do you store “stuff,” aka, junk there? How about simplifying and store, dispose or donate your unused “stuff.”

7. Parking cars (Article III, Section 21): Parking cars in areas other than the driveway is a problem. If you park a vehicle on any portion of your property, other than the driveway, it is probably a violation. If you need additional parking space you must get approval from the ACC.

8. Landscaping changes (Article III, Section 10): Changes to your landscaping need approval; the exception to this is thinning of brush and scrub oak to minimize fire danger. Landscaping changes need ACC approval.

9. Signs (Article III, Section 17): Maintain your property and do not put up signs. The exception is For Sale signs and campaign signs (as amended by CCRS, Senate Bill 100 and Senate Bill 89) that allow a resident to have campaign signs for a “reasonable” length of time.

10. Follow the Golden Rule.

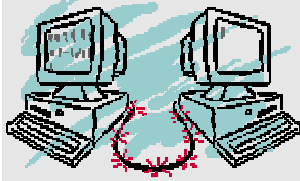
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Community Service



Jerry Farney, Treasurer – 599-0159

As we noted in our last newsletter, with the faltering economy, it had come to the attention of several Discovery homeowners that there were some among us that could just not maintain their property as they once had. During our last November 2008 annual Discovery Homeowners Association meeting, the members of our community voted to add a voluntary contribution to our annual dues collection for Community Service to help out some of these folks. If you now know of someone that could use a little extra help in purchasing materials and/or they need an extra hand to assist in getting their property back into shape, please either send an email with details to Jan Doran, Discovery Board Administrator (jdoran1003@aol.com), or give one of your Discovery Board members a call with the information. Your community spirit and financial generosity has made a huge difference for one Discovery homeowner already this year. **Thank you**



www.DiscoveryHOA.com

Lynn Sim –Discovery HOA, Director/webmaster

Thank you to the folks who have sent in photos to be posted on our web site. Please don't be shy I'm sure many of you have awesome pictures about the neighborhood – we'd love to share them!!

For those frequent web site visitors, you may have noticed that the board members no longer have their photos on the web site. This was done for security concerns.

We are always looking for suggestions on how to improve the web site. Please don't hesitate if you have an idea that you think will improve the usability of the site.

We have received several very positive comments about the site. We really appreciate the kind comments and hope that you will continue to offer your suggestions. **Remember: This is your website! Let us know what you want to see.**

Thank you!!
Lynn Sim, Webmaster

Value – Safety – “Communication”



HALLOWEEN – Saturday, October 31

All the big and little “Trick or Treaters” will be out and about on Halloween. Please drive carefully through the neighborhood as they tend to dart and dash across the street (of course drive safely ALL the time as well).

News Release

H1N1 Flu Vaccination Effort to Begin in El Paso County

Colorado Springs, CO—H1N1 flu vaccine will be available to members of the public beginning in late October as part of a large-scale effort involving physician offices, pharmacies and other agencies, coordinated by the El Paso County Department of Health and Environment.

To receive H1N1 vaccine, members of the public are asked first to check with their health care providers—some local providers have agreed to administer the H1N1 vaccine to their patients. In addition, the Health Department plans to provide community H1N1 vaccination clinics at various locations from late October through mid-November.

El Paso County's initial supply of H1N1 vaccine is expected later this week. The first 6,000 nasal spray doses will be provided to hospitals to vaccinate their front line health care workers. The nasal spray vaccine is licensed for healthy people age 2 through 49 who are not pregnant. **Please note:** No shortage of H1N1 flu vaccine is expected, but vaccine availability and demand can be unpredictable.

“The H1N1 pandemic is our first priority,” said Public Health Director Kandi Buckland, R.N., M.P.A. “Getting H1N1 vaccine is the best way to protect yourself and your family from this flu.”

H1N1 vaccination is voluntary and will be provided to target groups first, those at highest-risk of getting H1N1 flu and developing complications of H1N1 flu, based on CDC scientific analysis of disease activity.

H1N1 Target Groups Encouraged to Get Vaccinated First:

- Pregnant women
- People who live with or care for infants younger than 6 months old
- Health care and emergency response personnel with direct patient contact
- Anyone 6 months old through 24 years old

- Anyone 25 years old through 64 years old with chronic medical conditions or weakened immune systems

Once demand by the higher-risk groups has been met and supplies are available, H1N1 vaccine will be provided to anyone who wishes to receive it.

Individuals will be offered H1N1 vaccine in one of two forms—nasal mist or shots, depending on their age, health status and other factors as determined by public health experts. Both are designed to cause the body to create antibodies to fight H1N1 flu.

Community H1N1 Flu Vaccination Clinics

(Vaccine will be provided on a first-come first-served basis)

LOCATION: El Paso County Department of Health and Environment, 301 S. Union Blvd.

- Monday, Oct. 26: 7 a.m. to 1 p.m.
- Tuesday, Oct. 27: 7 a.m. to 1 p.m.
- Wednesday, Oct. 28: 11 a.m. to 6 p.m.
- Thursday, Oct. 29: 11 a.m. to 6 p.m.

LOCATION: Ellicott Elementary School, 399 S. Ellicott Highway, Calhan 80808

- Friday, Nov. 6, 10 a.m. to 6 p.m.

LOCATION: Coronado High School, 1590 W. Fillmore St., Colorado Springs, Colorado 80904

- Wednesday, Nov. 11, 10 a.m. to 7 p.m.

LOCATION: New Life Church, 11025 Voyager Parkway, Colorado Springs, CO 80921

- Friday, Nov. 13, 8:30 a.m. to 2:30 p.m.

LOCATION: Harrison High School, 2755 Janitell Road, Colorado Springs, CO 80906

- Tuesday, Nov. 17, 4 p.m. to 9 p.m.

LOCATION: The Hangar, 6436 S. Highway 85/87 Suite R, Fountain CO, 80817

- Thursday, Nov. 19, 10 a.m. to 7 p.m.

Note: Information is subject to change based on H1N1 vaccine supply and demand.

Plan before you attend:

- Do not plan to attend a clinic when ill. Vaccinations will not be given to sick people.
- Dress appropriate for the weather—you may be standing in line outside clinic locations.
- Wear and instruct your children to wear loosely fitting clothing that allows for arms (legs for children) to be exposed briefly for the H1N1 shot.

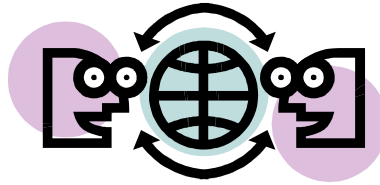
The H1N1 flu vaccine is being supplied by the federal government as part of a massive effort to battle the H1N1 flu pandemic. H1N1 vaccine offered by the Health Department will be provided at no charge. To plan for distribution and administration of the vaccine throughout the county, the Health Department has temporarily closed two of its routine immunization clinics and will need to scale back some other operations. Members of the public are asked to plan to conduct business prior to or after the week of Oct. 26, if possible, due to H1N1 clinics being held at the Health Department and the majority of staff will be assigned to H1N1 clinic duties. There will be reductions in Health Department services. Please check the Web site for further details. WIC client visits scheduled during that week at the 301 S. Union Blvd. location will be rescheduled. The scheduling of WIC client visits held at other locations is not affected.

For more information about H1N1:

El Paso County Department of Health and Environment's Web site:

www.elpasocountyhealth.org

Colorado's toll-free Help Line for H1N1 information is 1-877-462-2911



ANNUAL MEETING – ANNUAL MEETING
DISCOVERY HOMOWNERS ASSOCIATION
ANNUAL MEETING

DATE: NOVEMBER 12, 2009

PLACE: ROCKRIMMON ELEMENTARY SCHOOL CAFETERIA
194 MIKADO DRIVE W

TIME: 6:30 – 9:30 P.M.

SOCIAL GATHERING 6:30 TO 7:00 - Refreshments

BUSINESS MEETING 7:00
ELECTION

PLEASE RSVP TO ADMINISTRATOR JAN DORAN
jdoran1003 @aol.com or 598-9075

Note: Annual dues must be paid to vote

Please plan to attend – it's your opportunity to meet new neighbors and to have a voice in the Discovery Homeowner Association. There is important business to discuss and vote on.