

Foxtail Pines HOA
2024 Annual Meeting Minutes
Saturday August 3, 2024 – 10am to Noon
Foxtail Pines Recreation Area

Establish a Quorum: (JD) Per the governing documents, First Amendment to the Bylaws 3/8/2002, 1/5 of lot owners (1/5*325=65 owners req'd for quorum), Quorum met 82 members/proxies present

Changes or Additions to the Agenda: Communication added on bears

Approval of the Minutes from the 2022 & 2023 Annual Meeting: (ST), Moved to approve 2022 minutes lot 17, 2nd lot 75 all approved, Moved to approve 2023 minutes lot 1, 2nd lot 74, all approved

Reports:

1. Treasurer's Report/Financials Catherine Green (CG)
 - a. Bank Balance: \$90,000 +/-
 - i. Take in roughly \$24,375 per year,
 - ii. AR approx. \$9,000
 - iii. Question regarding pond area improvement financial requirement. This is an estimate that has been reserved for, but the board feels the estimate is significantly high
2. Approval of the Treasurer's Report: (CG)
 - a. Motion by Lot 2, 2nd 254, all approved
3. Approval of the 2024 Budget (CG)
 - a. Discussion How are we paying for the improvements/updates to pond area. Financial reserve.
 - b. What about weed spraying costs. It might be covered by Teller County Conservation District, bill will be approximately \$600
 - c. Do we have D & O Insurance? Yes, it is in the current insurance payment and specifically called out as D&O insurance.
 - d. Do we require a monetary reserve? Yes, will be discussed later with CCIOA
 - e. Do we have a CPA, no we are looking please send us a contact for a CPA if you would recommend one.
 - f. Motion by Lot 18, 2nd lot 2 all approved
4. Architectural Review Janine Snyder, Spencer Thomas, Louis Simonet (ST)
 - a. ACC has improved their process all up to date information is online at FoxtailPinesHOA.org. To email the architectural committee fpoaarchitectural@gmail.com
 - b. Concern about the container home. It is looking better but was very messy prior to it starting.
 - c. What about RV's on lots, this is handled by the county and the issue was tabled.
5. Website Jim Dietvorst (JD)
 - a. Website is being updated slowly with events and meetings. Foxtailpineshoa.org
6. Lower Sacramento Creek (LCS) Reservoir Company Spencer Thomas (ST)
 - a. LSC is where our water comes from. It's an augmentation. Our entire association is under an augmentation plan.
 - b. To augment your lot, you should go to HASP (Headwater Authority of the South Platte) www.haspwater.com, located on front street Fairplay, CO
 - c. There is a water decree change in process for the county which does not impact any of our water ownership or rights. Spencer Thomas will make the association aware of any concerns.

Old Business:

1. Weed Control, we are working with Teller County Conservation District
 - a. False Chamomile is a noxious weed that needs to be picked and trashed

- b. There are other problems which can be found on the website at [https://www.foxtailpineshoa.org/wp-content/uploads/bsk-pdf-manager/Integrated_Weed_Management_Plan__\(1\)\[1\]_87.pdf](https://www.foxtailpineshoa.org/wp-content/uploads/bsk-pdf-manager/Integrated_Weed_Management_Plan__(1)[1]_87.pdf)
- 2. Slash/Trash Day at Transfer Station
 - a. Very successful this year.
 - b. We asked for proxies at the slash/trash day because we need sufficient people for a quorum
 - c. 45 lot owners took part of this day, \$4,500 dump
 - d. Slash \$526
- 3. Update & Next Date for On-Site Chipping CUSP, August 17 & September 13, 2024
 - a. Would like to move day to August 17 only.
- 4. Pond Stocking & Health Analysis
 - a. Stocked twice with fish for fishing and carp for weed control
- 5. Maintenance of Recreation Area
 - a. The recreation area is insured under the insurance policy.
 - b. There is a reserve for the updates to the pond.
- 6. Communication
 - a. We are looking into putting out a Constant Contact email two to four times a year. Please make sure you're on the email list here. A copy of the Constant Contact email is here.
 - b. Please make sure you're contact information is up to date including Mailing address, email address, phone number etc.
 - i. We had an owner report a bear problem, but we could not contact the lots impacted quickly because the lost owner information was not complete.
 - ii. CO State CCIOA statutes require the association to have your contact information in some form or another.
- 7. Covenant Enforcement guns, dogs, building, etc. ST, CG, JS, JD
 - a. Bears – Camper broke into and torn apart by a bear two weeks ago.
 - i. No food in campers as bear can break in
 - ii. National Forest Service recommends to feed birds only from Thanksgiving thru Mothers Day
 - b. Roads
 - 1. Cathy Leslie received applause for her work on roads in the association
 - 2. We are looking for volunteers to help with snow fence building this year.
 - a. Park County is giving us the snow fence and posts.
 - 3. Park County Road & Bridge
 - a. 1246 CR 16, P.O. Box 147, Fairplay, CO 80440, Phone: (719)836-4277
 - 4. Park County Commissioners
 - a. Amy Mitchell: phone: (719)836-4210, cell (719)838-0340
 - b. Dick Elsner: phone: (719)836-4209, cell (719)839-0466
 - c. Dave Wissel: phone: (719)836-4211, cell (710)839-5787
 - c. Firearms shooting: There is no firearms shooting allowed in the FPHOA.
 - i. You can shoot in the National Forest
 - ii. Park County Fire Range is in COMO at 22535 CR 15, COM CO, 80432
 - 1. Link <https://www.jeffreal.com/blog/park-county-shooting-range/>
 - d. Dogs are a problem and need to be monitored and leashed or with the owner at all times.

New Business

- 1) Governing Documents update to meet the Colorado Statutes relating to the Colorado Common Interest Ownership Act (CCIOA) (JD) to present process the board is going through.
 - a. Governing Documents to date

- i. Declaration of Covenants, Restrictions, Easements, Charges and Liens For Foxtail Pines, dtd 2-6-1980
 - ii. First Amendment To The By-Laws Of Foxtail Pines Owners Association, dtd 3-8-2002
 - iii. Amendment To The Declaration Of Covenants, Restrictions, Easements, Charges and Liens For Foxtail Pines, dtd 1-18-2014
 - iv. None of these address the requirements of the CCIOA
 - b. July 1, 1992 CCIOA; Colorado Common Interest Ownership Act, CO statute 38-33.3-101 etc.
 - i. Law put in place to govern the formation, management, powers, and operation of HOA's in Colorado.
 - 1. The Declaration of Covenants, Restrictions, Easements, Charges and Liens For Foxtail Pines dtd. 2-6-1980, Section 18, Second Paragraph, states it is the Associations Responsibility to incorporate "new county or state laws in order to maintain property owners' rights and uphold values."
 - ii. If an HOA does not meet the requirements of CCIOA they can and have been sued for several reasons:
 - 1. Collection Policy, the board has tried collect delinquent dues over \$750, but has no legal backing without being in compliance with CCIOA
 - 2. Record Inspection & Copying of Association Records.
 - 3. Director Conflict of Interest.
 - 4. Notice and Hearing and Enforcement Policy
 - iii. The board engaged an attorney Michael Connelly, Esq. with Willis & Connelly, P.C. to get our governing documents in compliance with CCIOA.
 - 1. After two reviews of the documents between the board and our attorney, we have placed them on our website for your review and comments. We plan to have a 3-month period for review and after making the final changes with the attorney will approve the documents at a regular board meeting.
- 2) Election of Officers (JE)
- a. Each board term is 3 years
 - i. JE as president term expires end of 2025
 - ii. CG as Treasurer expires Dec 2025
 - iii. JD secretary term expires 2027
 - iv. ST second year as VP term expires 2026
 - v. John Samuelson handed his resignation in to the board in April, Louis Simonet was voted in by the board and needs to be approved at the annual meeting.
 - vi. Requested volunteers who might be interested in being on the board. None indicated
 - vii. Motion that Louis Simonet be the Member-At-Large for the FPOA by lot 200, 2nd lot 75. All approved.
- 3) Question on short term rentals. Any questions or concerns need to be addressed to Park County.
- 4) How are issues at the bathrooms at the pond going?
- a. We think better than early in the year.
 - b. We thought of locks but want to see how things go.
- 5) No snowmobiling in the area
- 6) Burn permits are required for owners to have any type of burn. These can be gotten on Northwest Fire Protection District website, <https://www.nwfpd.org/>
- 7) Park County 10 year plan is underway.

Adjourn: at 12 noon: moved by Lot 2 , 2nd by lot 170 , all approved