

Foxtail Pines OA Board Meeting Minutes

April 2, 2016

NW Fire Station

Attendees:

Trent Green	President
Janine Snyder	Vice President
Kyle Sandersen	Treasurer
Allyn Moser	Accountant
John Davis	Secretary
Jude O'Connor	At Large

Lisa Clement	Property Owner, also representing Ladybug Gardening
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Reviewing and approving meeting minutes by e-mail

Call to order/establish a quorum 10:04

Approval of Minutes from January 9, 2016 meeting

Approval of minutes moved and seconded.

The Board discussed reviewing and approving meeting minutes by e-mail correspondence to allow minutes to be posted to the web site more quickly. This was agreed to as a Board policy.

Discussion: Going forward, the names and lot numbers of specific property owners will not be included in regular board meeting discussions and meeting minutes to the degree feasible.

Discussion about specific lots and owners will be held in executive session if practical.

This was agreed to as a Board policy.

Reports

Financial:

Allyn presented updated financials. 2016 period 31 ending March budget shows \$23,379 Net Income.

There have been no new liens for non-payment of fees since January. He indicated that one owner had made partial payment on their outstanding account.

Allyn indicated that the number of delinquent accounts has decreased to 39 currently, the lowest number in number years. However, the total outstanding, less interest, is approximately \$9,500 at this time.

Kyle left envelopes at two delinquent account lots asking for updated mailing address information. He has not received responses at this time.

Allyn has obtained a PO box 5653 in Breckenridge 80424 for Foxtail Pines business to assist his receiving Board information.

Allyn indicated that there has been a significant increase in credit card payments of dues through our web site. The cost to the HOA is approximately \$3.00 each. As a Board decision, the current \$5.00 per transaction fee will be reduced to \$3.00 for next year.

Discussion: It is the Board's policy to allow owners to meet with the Board to discuss their overdue accounts, and the deadline for late fees had been extended previously. The Board discussed that these policies provide adequate payment flexibility.

A HOA safety deposit box has been opened by Trent. Kyle and Trent have keys. Recorded HOA covenants and bylaws, along with amendments, past proxy votes, water rights certificates, and a flash drive of past Board records will be placed in this box.

Kyle and Trent are on the signature card for check signatures, and both signatures are required.

Trent was given a debit card for the bank account. He will destroy this card and place in the safety deposit box.

The safety deposit box insert box is plastic. Trent and Kyle will look for a steel insert for additional fire safety.

There is no new information on cloud storage of HOA business record.

Allyn indicated that State registration of our HOA will not be until mid-year due to this department being very busy at this time.

Allyn noted that one criteria of an HOA enforcing liens is a requirement for State registration of the HOA.

Architectural Review

Janine indicated that there have been 6 permits for construction from July 2015 to November 2015 listed on the Park County web site. This web data is not current. These permits include 1 addition, and other activities such as roofing. No new primary residences are included in this time frame.

Janine e-mailed the current architectural review guidelines be sent to the board members. Further discussion on these guidelines was tabled for a later meeting.

Web Site

Kyle will ask Bob Smith to update the board contact information, and update FAQs as well as add the updated covenants and documents.

Board members will verify that a list of what the HOA fees go towards is clear on the web site. John has not yet written a summary of this topic to add to the web site, and will do so.

Discussion regarding the Board, on behalf of the HOA, providing recommendations for products and services. The concern is liability of the HOA and Board if a recommendation by them turns out to be problematic. Jude and Allyn are familiar with a web site 'nextdoor.com' that may be a resource for allowing recommendations from owners to be posted. This will be a discussion topic at the annual meeting.

Old Business

Pit Toilets:

Due to estimated costs of a commercial service, this topic is tabled for future discussion.

HOA assistance with slash removal:

Trent reports that commercial services such as All Phase and Cut Above can charge as much as \$250 per hour for chipping and hauling service. CUSP (Coalition for the Upper South Platte) charges \$85 per hour, but does not remove the chips. Trent had preliminarily arranged for dates of 5/21 and 9/24 for the HOA to purchase time for Foxtail owners. Due to the short time scheduling, the 5/21 date will be cancelled; however, the 9/24 date will be kept for this.

Trent will look into arranging 2 or 3 days for owners to take material to the CUSP site at the waste transfer facility near the fire station, using a letter as proof of Foxtail property ownership to limit abuse.

Covenant Enforcement

The discussion of covenant enforcement policy decisions was continued. It was discussed that current and past Boards have received complaints about property conditions and non-enforcement of covenants regularly, and enforcement is a criteria of State registration as an HOA.

It is the desire of this Board, as previously discussed, to generally respond to covenant violations on a complaint basis. However, some complaints are general in nature and not specific to a stated lot. The Board is obligated to respond to complaints on behalf of all Foxtail owners, regardless of past policies or actions, including not having enforced them consistently for many years.

The Board discussed a grace period for covenant compliance of 90 days, unless otherwise discussed with the affected owners.

The Board will consider adding explanatory language to this effect in the first non-compliance letter sent to affected owners, including noting that the covenants are available on the web site. Mailing copies of the covenants to all owners as reminders is considered too expensive and not required.

It was noted that our registered HOA covenant title is "Owners Association", not "Home Owners Association" the Board will endeavor to use this title more consistently.

Jude had sent a letter to the Board of County Commissioners concerning the County's policies and regulations concerning campers and trailers and the fact that our HOA amended our covenants to be consistent with county regulations which allowed campers/trailers to be on a residential lot for a period of only six months. The county then changed regulations, allowing campers/trailers to be on a lot for twelve months, but lived in for only six. Sheila Cross, from Park County Development Services, responded and indicated that staff had addressed the inability of staff to enforce the new land use regulation and is working with the commissioners to develop possible new changes, including requiring a permit and satisfying sanitation needs. Any determination by the county does not limit an HOA from having stricter limits.

A special Board meeting is scheduled for May 21, 2016 to discuss this general topic of covenant compliance and notifications.

Cloud Storage.

Trent still has questions on access to cloud storage of board documents; needs to obtain correct passwords from Bob Smith.

Open Space Paths. Kyle introduced Lisa Clement, a Foxtail Pines owner, and landscape architect, to discuss the proposed open space paths being considered.

Lisa indicated that she understands the desire and benefits of identifying walking paths through the out-lots that would minimize walking through private property. However, she points out the need to verify potential wetlands effects, working through Federal, State and local agencies that may have jurisdiction over drainage pathways, such as Army Corp of Engineers 404 permitting.

The Board discussed that as a first step we consider only a trail or path through the flat out-lot to Thompson Park as it does not likely include an identified drainage path.

Lisa indicated that she would be available to do schematic concept layouts, and help with input on procedures, but would not be able to assist the HOA on a formal basis due to her concern of a conflict of interest between her as a company, and as a Foxtail owner.

Homeowner Comments. There were no specific homeowner comments for discussion.

New Business

Pond Water Rights

Janine questioned whether our pond water rights are currently Absolute or Conditional. Her subsequent review of the pond documents shows the rights to be conditional. This requires that we either re-apply for conditional, or apply to have them designated as absolute, by January 1, 2017. An absolute designation is considered critical to avoid re-applying for conditional rights every 4 years. If re-application is not submitted this year, we could lose our pond water rights.

Janine and John will act as a sub-committee to review and respond to this issue. Janine will contact a water attorney that she has worked with to provide an estimate for this application and advise the Board on the required steps.

Lower Sacramento Creek Reservoir Annual Meeting

Jude and John will plan on attending the annual meeting in August as representatives of Foxtail Pines. This reservoir corporation is responsible for our water well usage augmentation plan with the State, and its required water storage, and is critical to our being able to operate our private wells.

The Annual Meeting is scheduled for August 6, 2016

Adjournment A motion was made, and seconded, to adjourn the meeting at 12:30

Next Meeting **The next meeting is scheduled for July 9, 2016.** The location will be NWFP, subject to schedule verification with them.