



Kevin Pollard, President
Carmine DiBartolomeo, Vice President
Vickie Branch, Secretary
Dave Koerber, Treasurer
Monte Gore, Member at Large
Kim Wittbrodt, Manager
www.foxtailpineshoa.org

Foxtail Pines Owners Association (FPOA) Winter 2010 Newsletter

Welcome. We are pleased to send you this association newsletter. Hopefully, this will be the last newsletter that you receive via “snail mail.” Your association’s website, www.foxtailpineshoa.org, is now up and running (but remains a work in progress). We hope the website will be your primary source of information about our Foxtail Pines community, and we will continue to improve it. The website provides you with the ability to contact us with your comments, suggestions, and information.

Propane (LPG) Savings Opportunity. Our treasurer, Dave Koerber, had the great idea of seeking to leverage our community buying power. Thanks to Dave’s personal efforts, AmeriGas in Fairplay has offered FPOA members a special “first fill” per gallon rate (\$1.749) for LPG, a season lock-in price (\$1.869), plus free tank swap and an extra credit of \$50.00 on your next delivery. This offer ends soon, so contact AmeriGas in Fairplay at 719-836-7162 or 719-459-2606 for full details. Your FPOA board of directors does not officially endorse AmeriGas, but wanted you to be aware of this opportunity.

FPOA Manager. As with many associations, board members come and go...or just change offices. Our association is very fortunate to have a terrific “anchor” and source of corporate knowledge, Kim Wittbrodt. Kim does not reside in Foxtail Pines, but is a long-time Fairplay resident and entrepreneur. Kim manages the business affairs of the association, managing the books and mailings, and is a consistent supporter of our association activities. Kim recently received a letter of appreciation from the board and a small increase to her monthly compensation, and she remains a bargain for our association! You can contact her via our website if you have questions or issues. (Kim owns The Java Moose in Fairplay...stop by and have a cup of coffee!)

Architectural Control Committee (ACC). Dave Koerber has revitalized the ACC. FPOA members are reminded that any construction or significant modification/renovation (including fencing) requires a review and approval by the ACC. Complete information, to include ACC submission forms, can be downloaded from our website.

FPOA Covenants. Our original covenants were established in June, 1980; amended in June and July, 1981; and extensively amended in January, 2003. Our FPOA is a Colorado corporation, and we are governed by our covenants and bylaws, and by Colorado state law. All FPOA members should have received a copy of our covenants from your real estate agent or closing agent. Copies of our covenants can also be downloaded in Adobe .pdf format at our website. Your board of directors shares, with many of you, a common belief that people purchase property in a covenanted community because they want

community standards maintained and covenants enforced. When this topic was surfaced at our August annual meeting and picnic, it was apparent that the majority of owner-attendees (with a few exceptions) were eager to see action on our covenants. Your board is in the process of retaining competent legal advice on our existing covenants. We seek advice on enforcement, and updates and amendments based on changes in state/federal law, technology, etc. As noted at the annual meeting, any changes in the covenants must be approved by our FPOA membership as prescribed in our existing bylaws, and we will keep you. In the meantime, members are encouraged to read, and comply with, our existing covenants.

Park County Code Enforcement. While state law provides legal civil remedies for covenant and other violations, your FPOA board of directors does not have the authority to demand on-the-spot compliance. Some situations may involve violations of county code, and there are procedures any citizen can take. For information, go to the county website, www.parkco.us, and look for Code Enforcement under the Services tab.

Precious water. In the arid Rocky Mountain west, water is often referred to as “liquid gold.” This scarce and precious resource is very carefully controlled. Your association holds membership, and shares, in the Lower Sacramento Creek Reservoir Company (LSCRC). The LSCRC provides the legal basis for the water that we draw out of the ground for our homes, and the bylaws are included in the covenants available to you on the Foxtail Pines website. Our FPOA treasurer, Dave Koerber, has agreed to be our representative to the LSCRC, and will serve as the company’s vice president for the coming year. Dave attended the LSCRC annual meeting in Denver on Aug 26, 2010, and notes from the meeting are posted to the documents tab of our website.

Speaking of water... Our association’s water attorney, Mr Alan Hill, manages our ongoing effort to obtain permanent water rights to fill our recreational pond (at the picnic area) on a priority basis. All of the water in Colorado is owned by someone, and we must purchase the right to replenish water lost to evaporation, etc. At our August, 2009 meeting, a quorum of our FPOA members in attendance unanimously voted to purchase the necessary water rights. As Alan noted at this year’s annual meeting, these legal actions move slowly as multiple parties are involved, and a new state water judge faces some 962 pending cases. Once this process is finalized, we will be able to determine the special, one-time assessment to be levied per property to permanently pay for these water shares. This one-time assessment amount (initially estimated at \$165 per lot) will not be known until all business is finalized.

FPOA Annual Dues. Please look for your annual dues notification in January. We anticipate that they will remain at \$100 for 2011...making our dues remarkably low compared to surrounding communities. (Please note that these dues do not include the planned one-time water assessment.)

Contacting your association. You can submit an email to the association via our website at www.foxtailpineshoa.org. You can reach Kevin Pollard at kevin4foxtail@gmail.com or Dave Koerber at davekoerber@evcohs.com.

Next board of directors meeting...planned for January 8, 2011, 9:00 am, at the Java Moose, Fairplay, CO.

Your board of directors wishes you a happy and safe holiday season!