

**FOXTAIL PINES OWNERS ASSOCIATION**  
**BOARD MEETING**  
**November 12, 2011**  
**9:00 a.m. at The Java Moose**

Board Members in attendance:

Kevin Pollard	President
Carmine d Bartolomeo	Vice President
Dave Koerber	Treasurer
Kim Wittbrodt	Manager
Jennie Gannon	Manager

Association Members present: Dean Sherman and George Davis

1. Kevin Pollard called the meeting to order at 9:07 a.m.

2. FINANCIAL REPORT

Kim presented FPOA balance sheet and P&L as of October 31, 2011. It was noted that legal fees are large this year, but much of this is made up of one time fees. Most was the payment to HindmanSanchez for the revision of the association declarations. About \$4,600 was for the water attorney and this project should be done fairly soon.

Kim will be mailing out past due notices for 2011 association dues in the coming week. There are quite a few people who haven't paid dues for the last two years. It was agreed that Kim will use the letter that was used for large collections recently as a template and send a letter along with the 2012 statement, stating that all past due invoices must be paid and offering to work out a payment plan if needed. About \$3000 in dues and late charges have been collected by Dave and Kim in the past few months. Dave and Kim are working with Hindman Sanchez to collect from a member who has an outstanding balance of \$2500.

Kim asked that the association give Jennie \$100 petty cash for small expenses incurred, such as lien release fees or office supplies. This was approved by the board. Jennie will turn in all receipts to Kim as petty cash needs to be replenished.

3. MANAGER'S REPORT

Jennie Gannon reported that she obtained a cell phone for FPOA use. The phone number is: (719) 839-8097. A phone had been approved in a meeting with Kevin and Kim with a \$30/month plan. The bill however, is more than \$30 so Jennie is going to use it during November and December and determine if a monthly plan is necessary or if we can switch to a \$0.10 per minute plan, or even cancel use of this phone and reimburse Jennie for use of the minutes on her personal phone.

Jennie has been working a little bit with the website. Contact information has been changed, meeting schedule posted, and three requests for user names and passwords were answered. It was agreed that Kevin, Dave and Jennie would get together sometime in December to look at website and devise a master plan for how we want it to look going forward. Dave and Jennie will do as much as they can with the changes and will

contact Curt Hulbert for help. FPOA budgeted \$1000 for the website this year and if there is enough left over, Jennie will get together with Curt for instruction on website administration.

#### 4. UPDATE ON REVISION AND NOTIFICATION PROCESS

Jennie talked to Jennifer Keenan at HindmanSanchez to find out exactly what the revision process entails. HindmanSanchez has sent their draft revision to board members and the first step must be for the board to review and agree on a final draft. Once the board is happy with the revisions, the following events will occur:

- a. Package including explanatory cover letter, all suggested new Articles of Incorporation, By-Laws, Covenants and voting materials will be sent to all owners. There will be a review and comment period before votes must be sent in.
- b. A public forum will be held so that all FPOA members can offer their comments and suggestions and get questions answered.
- c. A second notice requesting review and vote will then be sent out.
- d. If the board has not gotten 65% of the membership vote after these three steps, we could go for a court petition, which would cost more and probably take up to two months to complete.

The board set the goal for completion of this process to be before the annual meeting in August, 2012. All available board members will review what has been sent so far by HindmanSanchez and will meet next Saturday, November 19<sup>th</sup>, to discuss and finalize the draft. Kevin and Dave then hope to meet with David Furman, our main HindmanSanchez contact, sometime during the week of December 12<sup>th</sup>. All board members are welcome to attend this meeting. A teleconference could be scheduled if necessary. It is hoped that we will be ready to send out the initial package to the membership in January, and a schedule for the rest of the process and notifications will be finalized and posted on the website.

#### 5. UPDATE ON WATER ISSUES

One of two parties remains in negotiation with our attorney as we try to finalize the water rights for the fishing pond. This augmentation is for replacement of water evaporated from the pond. We believe that our December hearing before the water authorities will result in the final agreement. Once the agreement is reached, we will need to pay off our note with the Mountain Mutual Reservoir Company (MMRC). This amount will be \$35,000 plus interest. Dave will contact the MMRC to make sure we are current with our contract payments. There was discussion as to whether we have the cash to make the final payment when due. It was estimated that we will have \$50,000 in cash in January. If this last hearing settles all the matters, the FPOA Board believes we will bill a special assessment, to cover the water rights and legal fees, in February.

#### 6. OLD BUSINESS

##### a. Architectural Control Committee

The association is going to start enforcing our covenants. Jennie will take over surveillance of subdivision and begin to approach owners with new structures that have not been approved. Kevin and Jennie will drive through on Friday to start a list of properties needing contact. At this point, we just want to make people aware of the procedures that must be followed according to the covenants and to ensure that they are followed in the future. We would like to have applications and plans on file from everyone with a new structure built in the past couple of years. Dave wants to identify lots with horse corrals and make sure that they have the proper well permits for livestock use. Jennie will take over the ACC log and all administrative aspects of the ACC from Dave.

b. Signage: George Davis pointed out that the font used on the sandwich board signs at the entrances to the subdivision needs to be much larger to be read while driving by. Dave brought up the fact that there is a line item in the budget for signage. We need to consider how to supplement what is already done for notification of membership.

## 7. NEW BUSINESS

a. None from board members.

b. George Davis voiced a concern about the increase in membership fees for 2012. This increase was approved at the annual meeting last August with mostly positive feedback from the attending members. Kevin assured George that the increase was considered very carefully by the board before approval and noted that there has not been an increase in fees for many, many years. He also said that he does not foresee another increase anywhere in the near, or fairly distant, future. This increase will pay the manager and provide a cushion for the association for unforeseen expenses or emergencies.

Dean asked what kind of changes might be made in the revisions of the covenants. Kevin told him that a lot of changes were in the Articles of Inc. and By-Laws based on new Colorado laws. The Board wants to make sure the covenants and restrictions are easier to understand and more clearly detailed so that the association is actually more able to work with owners needing some temporary leeway with certain rules. For instance, the covenants now state that "...no recreational vehicle campers or camping trailers shall be allowed on any lot in the subdivision." The board understands that this might be a real inconvenience to many owners as it stands, but we can rewrite it to clearly define what sort of vehicles are not allowed and perhaps grant owners permits for periods of time when campers will be allowed on their property.

8. Meeting was adjourned at 11:00 a.m.