

Foxtail Pines Annual Meeting Minutes

August 6, 2016

Fairplay Community Center

Board Members Attendees:

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

Number of lots represented by attendance 39

Number of lots represented by proxy 28

Call to order/established a quorum 10:06

Trent noted that all regular FPOA Board meeting are open to Owners. This includes those that may be by teleconference due to scheduling difficulties. If a meeting is held by phone, the call-in number is posted on the web site.

Jude noted that she had 2 bears on her deck during the night this past week. She advises all to bring their bird and hummingbird feeders in every night. Janine noted that birds have adequate food supply without being fed during the summer.

Bob Smith was thanked for doing a great job on our web site.

Reports

Financial:

Allyn presented a summary of the FPOA's financial condition. The outstanding unpaid dues is at less than \$7,000, the lowest in many years.

There is currently about \$100,000 in the bank

The largest single expenses are for the Lower Sacramento Creek reservoir fees and construction loan payments. The largest long term liability is our portion of the reservoir construction loan. Other larger costs include maintenance and fish for the pond, and pond water attorney expense.

The financial condition of the FPOA is very good, and the assembly expressed their thanks to Allyn and Kyle.

Kyle noted that a lien is typically paid off when there is a transfer of property if a title company is involved. This may not be the case if there is a private transfer without a title company's involvement.

Trent noted that the Board considers filing a lien based on the amount that is outstanding vs the cost of filing and collecting on a lien. Typically only those accounts with large outstanding amounts are considered for liens. The Board considers filing a lien as a last resort, preferring to work with the owner for resolution.

A question of if the lien amount builds after the lien is filed was not known. However, it is surmised that since the lien is for a certain amount, an additional accrued amount outstanding would have to be collected separately. A lien typically includes added fees and legal costs.

Architectural Review

Janine reported that there were 11 permits issued for the development in 2015, including new construction, additions, roofs, etc. Only 3 permits are published by the county so far this year due to the delay in posting.

Covenant Enforcement

Trent explained that the current covenants were modified from their original form to comply with the then-current county regulations. However, the county has since changed their regulations and enforcement. We can no longer count on the county regulations to support our covenants as much as we could previously.

The county does have a complaint form that can be submitted for their consideration of possible county regulation non-compliance. Trent noted that the identity of the plaintive is not released except if there is subsequent legal action by the county. This could result in an individual not filing a complaint.

However, the county has indicated that a complaint can be filed by the FPOA Board as an entity without any personal identity of a plaintiff.

Jude reported that the county has been helpful in working with the Board on three properties recently. One property involved debris and possible improper boat storage, another involved non-compliant out-buildings and debris. A third property involved a suspected marijuana grow house concern (this property ownership has subsequently changed and the concern eliminated), and slash and excavating equipment on the lot.

Responding to an Owner's question, Janine reported that the county currently has no term limit on a building permit as long as it is renewed every 6 months. This can result in unfinished construction for an indefinite time. The county is revising this regulation to place a maximum term of 2 permit renewals of 2 years each. The Board will ask the county to clarify this limitation and how it may affect properties where construction has stopped for an extended time.

HOA Trail Markings

Kyle reported on the plan to mark trails through the out-lots. This plan was developed to reduce trespassing on private property. Although the adjacent private property corners have been surveyed and marked, these are difficult to see and have not solved the problem.

Kyle, along with assistance from Lisa Clements, has identified 19 possible out-lot access points along the adjacent roads. Marking would be by signage and some guiding logs to help direct people away from lot boundaries. This strategy will be developed further, but would require assistance from Owners, such as for marking logs, material transportation, and labor.

Kyle had a sign-up sheet for prospective assistance volunteers.

Pond Fence and Gate

It was reported that a new lock has been installed on the gate. Some owners questioned the need for a gate and fence. It was discussed that the gate and fence was installed in response to several concerns that developed over previous years:

Control of dumpsters during past Foxtail Pines dumpster days. At these events there were several occasions of non-Foxtail people using the dumpsters.

Fishing at the pond by non-Foxtail people as reported and suspected, along with unauthorized use of the shelter area for camping.

Dumping of trash in the pit toilets.

There were comments from some attendees that the gate and fence do not prevent unauthorized use. It was discussed that the fence and gate may serve as a deterrent. There were some comments that the gate and fence is unsightly.

A vote by hand showed a significant majority of the attendees wanted the gate lock to continue.

It was reported that there have been 2 fish stockings of the pond, each stocking with approximately 253 pounds (roughly 400 fish).

Slash Removal and Trash Cleanup Assistance

Trent reported that September 24th has been scheduled for slash chipping in Foxtail Pines by CUSP (Coalition for the Upper South Platt). There is a requested donation of \$85.00 per hour which the HOA will pay for. However, there is only limited availability of this service to homeowners due to the time it takes to chip a reasonable amount of slash. Each Owner will be allotted only 20 minutes, which would effectively limit the chipping to about 16 - 20 lots in an 8 hour day.

The chipper will leave a pile of chips that will be the Owner's responsibility to dispose of. A discussion noted that a pile of wood chips is a fire hazard. The school building uses chips for heating, so that is an option. It was discussed that if you can't dispose of the chips, you should not use the chipper.

If this program is successful, the Board will consider additional chipping days.

Another option would be to consider a dedicated day for taking slash to the waste transfer station near the fire station. They will take slash on a per load basis. (It was pointed out by an Owner that the transfer station takes their waste to a Chaffee County facility, which will accept waste at a lower cost).

There was concern that many residents do not have trucks. Trent reported that commercial chippers cost \$250 per hour and would haul chips away. There was a discussion of establishing community assistance to help these Owners get slash to the station. The Board will also look into possible grants to help fund slash removal.

There would need to be lot Owner's permission for any volunteer to enter a property to collect slash.

A related trash cleanup topic that was discussed was about bringing the dumpster concept back. Previously, this cost about \$3,200 for 2 dumpster deliveries. As noted, there was significant miss-use of the previous dumpsters by non-Foxtail people. There would a need to monitor the dumpsters by Foxtail volunteers.

There was discussion of considering a Foxtail Pines dump day at the transfer station, with the FPOA paying the costs.

Motion: To establish a Foxtail Pines dump day at the transfer station for trash only. This would be during their normal hours of operation, with Foxtail volunteer monitoring. No limits on numbers of trips. Owners may take whatever trash the facility allows. FPOA will pay for the cost of this day. The Board will set the days and negotiate with the facility.

Motion by Lot 156, second by Lot 270: Motion passed by show of hands.

Motion: To establish a Foxtail Pines slash day at the transfer station for slash only. This would be during their normal hours of operation, with Foxtail volunteer monitoring. FPOA will pay for this day. The Board will set the days and negotiate with the facility.

Motion by Lot 216, second by Lot 270: Motion passed by show of hands.

No motion on having a dumpster day.

No motion on hiring a private chipper company.

Motion: Ask for volunteers to assist with trash and slash transport during these days by sign-up.

Motion by Lot 262, second by Lot 270: Motion passed by show of hands.

Water Article

John summarized his article about our well permits and water responsibilities that has been posted on the web page. The key points are that we as individuals do not own the water we use, and that there are obligations and requirements associated with our being allowed to “borrow” the water we use. This is a primary responsibility of the OA and our lot Owners individually.

Weed Control

Jude discussed that there is a significant problem with invasive weeds such as toad flax, scentless chamomile, and thistle. This is prevalent at the pond as well as other location in the development. If not controlled, these plants can over-run large areas.

Control methods include digging out, digging and using vinegar on roots, and herbicides. Janine cautioned about improper use of herbicides especially near a water source. Jude noted that this does not need to be a concern if properly done as part of an integrated plan. She offered to write a plan.

Janine has set aside September 10 and 17 to pull weeds at the pond, and asks for volunteers to assist.

Kyle has spent significant time doing so at the pond, and reports that it is a lot of work, but also emphasizes its importance.

An Owner asked about using goats. Jude indicated this may be feasible.

Elections of new Board members

Trent's term as President ends at the conclusion of this meeting, and does not wish to continue a position on the Board. The Board and Owners expressed their appreciation for a job well done.

Jude's term as an at-large board member ends at the conclusion of this meeting, and does not wish to continue a position on the Board. Jude, who had volunteered to extend her previous Board membership over this past year, has been a valuable and effective board member, and the Board and Owners show their appreciation.

Tammy Devine (Lot 270) volunteered her interest in serving on the Board. Tammy was nominated and approved by ayes. Bob Martinelli (188 Junegrass) volunteered his interest in serving on the Board. Bob was nominated and approved by majority ayes.

Welcome to the FPOA board!

Adjournment A motion was made, and seconded, to adjourn the meeting at 12:01

Next Meeting **The next Board meeting is to be determined**

The Foxtail Pines Owners Association thank Millonzi's Restaurant for preparing excellent lunches for this meeting!