

Foxtail Pines OA
Minutes of Annual Owners Meeting
August 5, 2017 – 10am to Noon
Foxtail Pines Pond Recreation Area

Call to Order/Established a Quorum (75 Lots, including 29 proxies) at 10:10 AM

Nextdoor.com was added as an item to the meeting agenda.

Motion to Approve of Minutes from July 8th 3rd Quarter Board Meeting by Kyle Sandersen, seconded by John Davis. Approved unanimously.

Motion to Approve Minutes from the 2016 Annual Business Meeting was made by Lot 138, seconded by Lot 171. Approved with one dissenting vote.

Reports

Treasurer's Report/Financial: Allyn Mosher reported that additional legal costs were incurred due to work by the water attorney to provide input and review annual well report to State Engineer's Office. The unpaid dues are at an all-time low (less than \$3,900). At the end of July 2017, the Owners Association has over \$104,000 in the bank. Motion to approve Treasurer's Report by Rob Martinelli, seconded by Tammy Devine. Approved unanimously.

Proposed 2018 Budget: The proposed budget for 2018 was posted on the website, and copies were also available at the meeting. In response to a question from an Owner, the Board confirmed that no change in annual dues would be needed to support this proposed budget. Motion to approve proposed budget was made by Lot 87/88, seconded by Lot 201. Approved unanimously.

Architectural Review: According to Park County database, they have issued 2 building permits in Foxtail Pines in the 1st Quarter; 2nd Quarter results are not yet available. The Architectural Review Committee (J. Snyder, J. Davis and R. Martinelli) have approved 10 building applications so far this year.

Weed Control Committee:

The Weed Mitigation Plan went through several iterations until the plan for 2017 was adopted at the special Board Meeting on July 1. A copy of the adopted Weed Mitigation Plan was posted on the website, and copies were also available at this meeting. The Board received input from several sources, including: the Integrated Weed Management Plan developed in 2016 by Jude O'Connor (available on the website); the Teller / Park Conservation District, the Park County CSU Extension Office, and the information gathering meeting with owners on 5/27/17.

The Board emphasized that the Weed Mitigation Plan is intended to address only the common area surrounding the pond. In response to an Owner question, Janine Snyder advised that bar ditches are the responsibility of Park County. Due to time taken to develop this plan, we decided it was too late this year to mow the area under consideration. The option of using goats will not be pursued this year due to illness in goat herder's family. The quoted cost for using goats was comparable to estimated mowing cost on a per acre basis.

John Davis discussed the planned use of Milestone herbicide, primarily to address the Canadian thistle, which is considered a noxious plant by the State of Colorado. Research has shown Milestone to be more effective than vinegar (acetic acid) or clove oil in controlling Canadian thistle. Although research has shown Milestone to be of low toxicity to animals, the Board has decided to apply Milestone on the downstream side of the pond only, out of an abundance of caution. Signs will be posted in the pond area, and notification will be given on the website after Milestone has been applied, allowing individual Owners to decide whether to limit exposure to pets. Milestone can only be applied by a permitted applicator. The Board plans to use one of the permitted applicators from Teller / Park Conservation District. Following the application of Milestone, we plan to plant legumes in the affected areas in order to mitigate the reappearance of Canadian thistle.

Individual Owners are free to use any legal method of weed control on their own property. One Owner advised positive results using vinegar and salt. In response to question from another Owner, John Davis advised caution using any herbicide near wells.

Website: Our current webmaster (Bob Smith) has sold his property and will be leaving soon, so we need to find a new webmaster. So far, the son of one of our Owners has volunteered to take over this service. Those in attendance were asked to advise any Board member if they wish to suggest a candidate.

Lower Sacramento Creek Reservoir Company:

John Davis explained that Foxtail Pines Owners Association own shares in the reservoir. An augmentation plan was signed in 1980, which allows Owners of our Association to have individual well permits. By law, individual owners do not own water (unless they purchase shares themselves) from their wells; we borrow it and return most of it back into the system. Hence the need for the reservoir to augment that portion that is lost.

Our Association is required to report the number of wells and release rates to the State of Colorado on an annual basis; however this was not being done. This year, we began issuing the required annual report. Each Owner with a well should have a well permit. The status of your well permit can be verified on state website: www.dwr.state.co.us/wellpermitsearch. Owners can search this website to verify that the recorded ownership of the well on their property was transferred if/when their property was transferred. Our research for the annual report concluded that the Association is well within the total number of wells allowed by the augmentation plan.

Old Business

Slash/Trash Day at Transfer Station: Janine Snyder reported that this program was conducted on July 22. 34 Loads of trash were collected for a cost of \$1,104. 54 Loads of slash were collected for a cost of \$540. A motion was made by Lots 384/385 to repeat the Slash/Trash Day at the Transfer Station in 2018. Motion seconded by Lot 73, and approved unanimously.

Update and Next Date for On-site Chipping CUSP:

Rob Martinelli reported that the on-site chipping program, conducted by CUSP on June 22, resulted in slash being chipped on site at 8 lots. It was noted that CUSP will not collect and chip slash at our lots unless the piles are neatly stacked and located near the roadway. CUSP refused to work at 2 of the lots because piles of slash were tangled and/or not close enough to the road.

Another chipping day is scheduled for August 12; John Davis will be coordinating that program. As of the annual meeting date, there were 5 lots signed up to participate on August 12. We have allowed time for 12 lots to participate on that date. Any Owners who wish to sign up should contact John Davis. More information on this program was available at the meeting and on the website. Motion was made by Lot 233 to repeat the On-Site Chipping 2 times in 2018. Motion seconded by Lot 74, and approved unanimously.

Update Trail Markings Project: Kyle Sandersen has prepared sign for marking trails through out-lots. Samples of signs were available at the meeting for review. We will be asking for volunteers to help place the signs at trails later this year.

Update Owner Survey options: The Board has been looking into different options to communicate with Owners electronically. A group has been started by Julie Beitscher with Nextdoor.com, which homeowners are may join; sign-up sheets were made available at the meeting. Since Nextdoor requires a physical address, the Board is looking into other options (such as Constant Contact) which would allow lot owners without a physical address to join.

Well Reporting to State Engineer's Office: This topic was covered during discussion of Lower Sacramento Creek Reservoir Company.

New Business

Pond Stocking and Health Analysis: The pond was stocked with 400 pounds of trout on May 26, and another 185 pounds on July 10. Per Mark Lamb of the State Wildlife Division, we are not over-stocking. The pond is healthy, but has too much grass. Mark recommended adding 2 grass carp to the pond to address this issue. We are planning to add the grass carp in the fall; will post a sign at pond and put notice on website not to remove carp from the pond.

Maintenance at Recreation Area: Toilets have been pumped out and cleaned recently. Some trash also had to be removed. Owners were reminded to bring trash home, don't leave on site. The Board is obtaining bids on washing, re-siding, and re-staining building. Funds are included in 2018 budget for this work. Trent Green advised that foundation was repaired a couple years ago.

Covenant Enforcement: A form is now available on the website, which any Owner can complete and submit to the Board if they have concerns about another Owner meeting Association covenants. If the Board determines a specific concern is not a covenant issue, we will refer issue to an appropriate authority. If there is an infraction of Association covenants, the Board will address it with that Owner. The Owner making the complaint will remain anonymous. In response from a specific question at the meeting, conducting a business from your home is a Park County issue, not addressed by our Association covenants.

Subdivision Road Conditions: In an effort to address long-standing concerns of many residents, Janine Snyder has met on several occasions with Park County Road & Bridge Department. The County advised that taxes only pay for one grading of main roads per year. In recent years, little of this work has been done. There were no plans to do any major work within Foxtail Pines for several years. Based on suggestion from Janine, the County agreed they would be willing to share in the cost of re-working 6 major roads within Foxtail Pines (Vine, Coil, Wheat Way, Foxtail, and Wild Rye). One of our Owners has been able to negotiate the supply and trucking of material from mining operation at no cost.

Initially, the County wanted to charge \$631,000 to chip and seal the 6 major roads mentioned above. After confirming the Association would supply base material and truck to site, and additional negotiation, the County reduced their cost to our Association to \$346,102 (not to exceed) for this option. There would also be a lower cost option to re-build the same 6 roads, and then treat with mag chloride for a cost of \$189,000. Since we do not have sufficient reserves to fund either option, the Board advised we could only proceed if a special assessment were approved to cover the cost. For the first option (chip and seal the 6 major roads), a one-time special assessment of \$1,060 per lot would be required to cover the Association's cost. For the second option (re-build the roads and treat with mag chloride), a one-time special assessment of \$580 would be required.

During the ensuing discussion, several Owners expressed frustration with the situation, and Kyle Sandersen encouraged Owners to write to County Commissioners to complain about the lack of funding. Others discussed that County would not change their position without increasing tax rates. Janine Snyder was advised by one real estate agent that chipping and sealing the main roads should increase home values. Based on a general discussion of those in attendance, supporting the less expensive re-build option was not favored due to its short functional life. It was suggested that we should get an agreement from County to improve maintenance of roads in the future if the chip and seal option is chosen.

A motion was made by Lots 155-157 to proceed towards an agreement with the County to pursue the chip and seal option for the 6 main roads for a not-to-exceed cost of \$346,102; costs to be paid by special assessment of \$1,060 per lot, to be billed quarterly, beginning in January 2018. This motion was seconded by Lot 270. The motion was approved by those present (including proxies), with 65 in favor, 10 opposed.

Adjournment: A motion to adjourn was made by Lot 38, seconded by Lot 74. The meeting was adjourned at 12:15PM.

BOARD NOTE: The Board will be following through with the necessary legal counsel review of our bylaws, applicable state statutes, and meeting minutes in regard to the road resurfacing project. At this time, further information from the County, Owners meetings / ballot voting will be required prior to entering into any contractual agreements. Please be patient as we investigate our responsibilities as your Board on behalf of the Foxtail Pines Owners Association regarding the results of this vote.