

Foothills Clusters Homeowners Association  
Board Meeting  
February 2, 2015

Board meeting called to order at 6:35pm by Aletha Kalish

Roll call:

Aletha Kalish	Present
Brian Bickel	Present
Dena Petersen	Present
Bob Newcomb	Present
Dave Larrabee	Present
Dale Prescott	Present
Dave Spire	Present
Scott Simpson	Absent
(vacant)	

Quorum is present.

Next board meeting will be held Mar 2 at 6:30pm.

**Minutes from December meeting:**

Minutes for the December HOA Board meeting were not yet available for review or approval. They will appear on the February agenda.

Move to table: Brian  
Second: Bob  
Vote: The motion carried

**Minutes from January meeting:**

Minutes for the January HOA meeting were available in hard copy.

Move to approve: Brian  
Second: Bob  
Vote: The motion carried

**Treasurer's Report**

Brian Bickel presented the Treasurer's Report.

Brian has printed a pink sheet reminder for paying assessments and put on doors of residents from whom he had not received assessment payments.

Bills from TEP – one for each entrance (\$18, \$34). Since one is double the other, perhaps we should check the types of bulbs. Per Dale, Alvernon is incandescent and Skyline is not. Dena said she'd check them.

Three properties are paid for 2014, 2015, delinquent for 2013. We have no detailed records prior to 18 months ago. Brian suggested that we write those off.

Move to write off those 3 lots: Brian Bickel  
Second: Dave Spires  
Vote: The motion carried

We get a form from the title company requesting information. It would behoove us to develop our own form. Brian described the Planned Community Act's requirement describing what we have to provide to a purchaser at the time of sale: ARS 33-1806.A.3. states that we provide to the purchaser (or agent) a dated statement containing:

*(h) A statement that provides "I hereby acknowledge that the declaration, bylaws and rules of the association constitute a contract between the association and me (the purchaser). By signing this statement, I acknowledge that I have read and understand the association's contract with me (the purchaser). I also understand that as a matter of Arizona law, if I fail to pay my association assessments, the association may foreclose on my property." The statement shall also include a signature line for the purchaser and shall be returned to the association within fourteen calendar days.*

Brian pointed out that, if they do this, a purchaser can't claim that they haven't read the governing documents, and Brian recommends that we provide this.

Aletha mentioned that, because she's a realtor, title companies send title requests to her. They should more appropriately go to the board or even the Secretary or Treasurer.

Brian requested an engagement letter from our accountants, Holm & Valenzuela CPAs, P.C. at 3208 E Lowell Suite 105. Received the letter stating that they will audit our finances for FYCY 2014 and file our tax return for an estimated \$550-700. This was for a six-month period, but Brian requested an updated letter for the full 12-month period. Brian requested permission from the Board to sign the updated letter when he receives it.

Move to allow Brian to sign: Brian Bickel  
Second: Dave Spires  
Vote: (6 for, 1 against) Motion carried

Move to approve report: Dena Petersen  
Second: Dave Spires  
Vote: The motion carried

### **President's Comments**

Regarding garbage pickup contracts, Aletha discussed what contractors meant by "exclusive contractor". Waste Management requires that they be 100% exclusive to the entire neighborhood. Arizona Sanitation Services told her in writing that they understand that they will not be 100% exclusive. They feel that they will get our

business based on price and service. Their quote is for a 3- to 5- year contract. No tree trimmings. Brian recommended that we have our attorney review the contract before we sign it, to ensure that the term “exclusive” will not be a problem. Bob will ask Carolyn Goldschmidt about this. Bob will need a copy of the contract.

Aletha gave some thoughts about real estate listings. She has found that houses going onto the market in Feb – April tend to have fewer days on market. She also pointed out that we couldn’t compare purchase or sales prices of homes in the Clusters with those of homes in other parts of the foothills.

Aletha repeated her desire to have a “special membership meeting” on either the 17<sup>th</sup> or 24<sup>th</sup> of February, wanting members of the Master Association Board to attend, also possibly discussing Arizona Sanitation Services. The format would be that of a “town hall” meeting, where all members can raise issues. However, Aletha will not be here to organize this.

- Dena asked the goal of the meeting, to which Aletha responded that it is to clarify existing questions in the Clusters about what the Master Association does and doesn’t do
- Dena pointed out that the Master Association documents are posted and that the onus is on members to research those documents obviating the need for a meeting like this
- Dale stated that the Master Association will have an annual meeting Feb 22, and such a meeting would be a more appropriate time to ask questions of that Board
- The Board expressed that a Master Annual meeting is the best next step and that, if that doesn’t satisfy all Clusters members, it would still be possible to have a separate special meeting afterwards

### **Landscape & Roads Committee**

Dale reported that they had no committee meetings. Tucson asphalt provided a bid to patch the holes in our roads for \$3300 per day. Bob Reuse has volunteered to spray paint around potholes that need filling.

Pima County has a special phone number that we can call and request patches to Evans Mountain Rd.

Dale suggested doing some landscaping of the Alvernon entrance and mentioned Dave Larrabee’s landscaping person, who works for \$20/hr.

Aletha reviewed the requests by the board of the committee. None of the four tasks has been done. Aletha asked if we can do this again – we’re talking about the roads but not doing anything. Joe Mucenski said he would be willing to arrange this advisor from the County.

Move to approve report: Bob Newcomb

Second: Dena Petersen  
Vote: The motion carried

### **Business Process Committee**

Brian discussed a neighborhood survey to get input from neighbors on how they feel about certain areas, this for the benefit of the Business Process Committee rather than the Board.

The Committee had discussed development of the HOA web site ([www.foothillsclusters.com](http://www.foothillsclusters.com)), but Brian sees details in the agenda listed under new business, so he deferred until then to discuss the web site further.

There was a motion to accept the report, it was seconded, voted on, and the motion passed.

### **Architectural Control Committee**

Aletha mentioned that she had gotten phone calls and emails regarding this committee.

Bob Newcomb discussed the Architectural Control Committee report. This included the results of a neighborhood count of the numbers of different types of street-facing walls and their materials:

Slump block/stucco = 189 walls (80% of all walls)

Wrought iron = 24 (10%)

Wood = 14 (6%)

Cement block (non-slump) = 11 (5%)

Bob Newcomb proposed the following outcomes for these projects:

1. 3677 E Kingler Springs Pl (lot 412) – carport extension and conversion to 2½-car garage. There is a question about proximity to lot line and whether there is a survey. A neighbor who shares a property line expressed concern about a pool that seemed to at least be “awfully close” to their property line. This neighbor wants to verify that the new garage construction will not negatively impact their view. This neighbor also expressed serious concern about whether previous projects on this property had encroached into neighboring properties, since no apparent survey had been performed. Proposed to disapprove due to incomplete information. Board voted to disapprove due to incomplete information, and we will require signatures from the two remaining adjoining neighbors. Motion carried with one abstention (Brian).
2. 3478 E Nugget Canyon Pl (lot 505) – playhouse between trees in front yard. Bob moved to approve the application. Motion passed with one abstention (Brian)
3. 3809 E Marble Peak Pl (lot 334) – garage addition, cover over rear patio. Bob moved approved conditional to final plans being the same as those originally submitted. Motion passed with one abstention (Brian)

4. 3732 Guthrie Mountain (lot 241) – slump block front wall, two retaining walls. Move to approve the application. Motion passed with one abstention (Brian)
5. 3881 E Marble Peak (lot 499) – Renters requested an application from the Architectural Control Committee with the intent of adding some improvements to their yard. Bob sent the materials and included an itemization of materials not allowable. One of those materials, reed, was in use at that property. Dave Larrabee intends to contact the owners regarding this as a CC&R issue.

### **CC&R Enforcement Committee**

Some brief conversation regarding a lady with an RV. No action was taken. Move to accept the report. Motion passed.

### **Old Business**

No old business

### **New Business**

Web site proposals. Bob presented some proposals that may be beneficial to add to our website, [www.foothillsclusters.com](http://www.foothillsclusters.com). Brian, as Chair of the Business and Process Committee, proposed that he take these suggestions as recommendations for the website.

Proposed hire of a board meeting note taker. Bob proposed we hire someone, or get a neighbor volunteer, to take and transcribe the minutes of each board meeting. It would be more efficient for a person who knows the appropriate level of detail to record and who is not participating in the meeting to record the minutes rather than a board member who should instead be paying full attention to the discussions in the meeting. Dena proposed an ad in the WildCat to get a student for \$8.15/hour. Dena will drive this.

Dave Larrabee proposed, as a future new-business item, that we post a 15MPH speed limit in every cul-de-sac.

Alisha Kalish adjourned the board meeting at 8:45pm