

The Foothills Clusters Homeowner Association
MINUTES - BOARD OF DIRECTORS MEETING

Date/time: August 3, 2015 6:30 p.m.

Location: Catalina Foothills High School, House #1, Seminar Room

I. CALL TO ORDER/ROLL CALL

Aletha Kalish, President, called board meeting to order at 6:34 PM

Roll Call

Board Member	Present	Absent	Proxy
Aletha Kalish	X		
Brian Bickel	X		
Dena Petersen			X
Bob Newcomb	X		
Dave Larrabee	X		
Dale Prescott	X		
Dave Spire		X	
Irene Barg			X
Vacant			

Quorum was present.

Next board meeting day/time/location (Monday, September 14, 2015, 6:30pm, same location).

II. APPROVAL OF JULY MINUTES

July minutes did not get distributed, motion to table until September meeting.

Motion accepted, seconded and passed.

III. PRESIDENT'S COMMENTS

Would like more community minded outlook; working together to solve problems. Examples:

- Met with homeowners with a difficult situation with renters next door.
- Met with homeowners purchasing house with white roof. New owner is co-operating 100%.

Would like to see improved communications regarding CC&R's; documentation of all verbal contacts and more timely written notice of problems.

Would like to discuss combining CC&R committee with Architectural Control.

IV. TREASURE'S REPORT (BALANCE SHEET attached)

Motion to approve the Treasurer's Report, was seconded and passed.

V. COMMITTEE REPORTS

- Landscape & Roads Committee
 - i. Confusion about estimates for road repair.
 - ii. Discussion regarding the 2008 Feasibility Study regarding double chip seal.
 - iii. Discussion regarding Wells Fargo will lend money based on ability of HOA to collect dues.
 - iv. Irene and Dale are to meet with engineer on Thursday. Positive – objective assessment need to communicate.

- Business Process Committee – no report.
- Architectural Control Committee with CC&R Enforcement
 - i. Attorney advises about violations and title company inspection report. The law states look in records if nothing in records, so indicate that.
 - ii. Deductibility of Donations – the HOA is not a profit but not a 501(c) charitable non-profit and donations to HOA are NOT deductible for tax purposes.
 - iii. Architectural Control Committee Board Report August 2015 (attached)

- CC&R Enforcement
 - i. Regarding issue of biting dog. The dog may go to animal control. There has been no written notice to the homeowner by CC&R Committee. Dave would talk to the owner and follow up w/certified letter and Bob to will contact our attorney. Motion was moved, seconded and passed.
 - ii. Issue with renter with multiple violations – No letter has been sent regarding the violations. Dale drafted a letter and is to mail on Tuesday, 8/4/15, to the homeowners and tenant (originally notified of problem in January, a police report in April).

- Communications Committee
 - i. Discussion regarding posting draft minutes with typos/errors vs. waiting and posting approved minutes.
 - ii. How much of FCHOA official web site should be open to the public? Bob to follow up regarding what items such as minutes need to be open to the public.
 - iii. New communication issue – Brian asks that Board members use board email addresses for Board business; reminder that using private email for Board business has the potential to make the Board members private, email vulnerable to subpoena.

VI. OLD BUSINESS

- Renter at 3881 E. Marble Peak CC&R violation (see CC&R Enforcement).
- Trailer in driveway next to Brian.

VII. NEW BUSINESS

- Road project needs high-level requirement from Board, i.e. do we want a solution that has a 20-year pavement life? (Discuss with committee reports).
- Consolidation of committee duties – It was moved that Architectural Control Committee subsume the duties of the CC&R committee. The motion was accepted, seconded and passed.

VIII. MASTER ASSOCIATION

- At the bottom of Cascade Springs, the County came in and relined the sewer and put rocks across the entrance. Rocks were moved and evidence of off road vehicle activity. The County was notified that the rocks were moved. County suggested FCHOA put up a gate. Discussion followed that a gate was not adequate or practical. Jeff says we need to put boulders and thinks the County might do so. Suggested – no trespassing sign. No motions, no follow up plans set.
- A discussion regarding 3712 Lizard Rock pool in common area – Master Association is considering selling land to new owner, Fannie Mae.
 - i. Representative of the County told one Board member and FC member it is illegal to deed over Common Area land.
 - ii. One suggested looking into swapping property as alternative.
 - iii. Request to Dale that he provide a copy of attorney ‘Opinion Letter’ that supports the Master Association’s right to sell land to limit any potential liability on the part of the FCHOA.

IX. ADJOURN - – Meeting adjourned at 8:20 PM

X. ATTACHMENTS

The Foothills Clusters Homeowners Association

BALANCE SHEET

As of August 1, 2015

	Total
ASSETS	
Current Assets	
Bank Accounts	
WFB Checking 7998	72,770.89
WFB Savings 0057	465,169.39
Total Bank Accounts	537,940.28
Accounts Receivable	
Accounts Receivable	4,296.90
Total Accounts Receivable	4,296.90
Other current assets	
Federal Income Tax Withhold	87.21
Total Other current assets	87.21
Total Current Assets	542,324.39
TOTAL ASSETS	\$542,324.39
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	0.00
Total Accounts Payable	0.00
Total Current Liabilities	0.00
Total Liabilities	0.00
Equity	
Opening Balance Equity	434,957.74
Retained Earnings	122,003.93
Net Income	-14,637.28
Total Equity	542,324.39
TOTAL LIABILITIES AND EQUITY	\$542,324.39


Architectural Control Committee Board Report August 2015

Activity in July:

- 3412 E Guthrie Mountain Pl (Lot 501) – New wheel-chair ramp.
 - Ms Leal-Holmes submitted a complete application with engineered contractor plans
 - The committee approved this project, as pre-approved by the board last month
 - **No action is requested of the board at this point**

 - 6845 N Cascade Springs Pl (Lot 557) – Solar installation.
 - Mr Kuehn submitted a complete application with signatures and plans
 - **The committee proposes that the board approve this project**

 - 3832 E Marshall Gulch Pl (Lot 272) – New metal roof
 - Mr Bellafiore submitted a complete application with signatures
 - Owner will replace existing wood shake roof with brown metal roof
 - **The committee proposes that the board approve this project**

 - 3897 E Diablo Canyon Pl (Lot 364) – Replace asphalt driveway with gravel
 - Owner was notified, after project underway, that HOA approval was needed
 - Mr Launey submitted a complete application with signatures
 - The asphalt had been partially removed
 - Owner cooperated fully
 - Owner will use StabiliGrid
 - **The committee decided to approve this upon review**
 - **No action is requested of the board**
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HOMEOWNER PROXY
FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION

A QUORUM IS REQUIRED TO CONDUCT OFFICIAL BUSINESS. IF YOU ATTEND THE MEETING, YOU MAY VOTE IN PERSON. IF YOU DO NOT PLAN TO ATTEND, DESIGNATE A PROXY TO VOTE FOR YOU AND PROVIDE HIM/HER WITH THIS PROXY.

IRENE BARG, the undersigned Board Member (the "Board Member"), of Foothills Clusters Homeowners Association, Tucson, Arizona 85718, is entitled to vote at any regular, special, or annual meeting of Foothills Clusters Homeowners Association.

The undersigned designate(s) and appoint(s) Bob Newcomb (the "Proxy") of 3761 E. MARBLE Pemb-Pk Tucson, Arizona 85718, as the Proxy for the Board Member.

By this designation of proxy, the Proxy may attend and represent the Board Member with the full power to vote and act for the Board Member in the same manner, to the extent and with the same effect as if the Board Member were personally present.

This designation revokes any prior designation of proxy that the Board Member may have given previously with respect to the Board Member's ownership interest in Foothills Clusters Homeowners Association.

This designation of proxy shall be effective for the August 2015 Board Meeting of the Foothills Clusters Homeowners Association to be held on August 3, 2015 at 6:30 PM, and at all adjournments of such meeting.

The Proxy shall have the full power, as the Board Member's substitute, to represent the Board Member and vote on all issues and motions that are properly presented at the meeting(s) for which this designation of proxy is effective. The Proxy shall have the authority to vote entirely at the discretion of the Proxy. Provided, however, with respect to the following issue(s) the Proxy shall vote as stated: _____

LOT NUMBER: 346

Irene Barg
Board Member Signature

7/25/15
Date

Irene Barg
Witness Signature

7/25/15
Date