

**The Foothills Clusters Homeowner Association**  
**MINUTES - BOARD OF DIRECTORS MEETING**  
May 4, 2015

I. CALL TO ORDER/ROLL CALL

Aletha Kalish, President, called board meeting to order at 6:35 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 will be held Monday, June 1, 2015, 6:30 PM (same location)

II. APPROVAL OF MAY MINUTES

Minutes for May HOA Board were available in hard copy.

Motion to approve was seconded and passed.

III. PRESIDENT'S COMMENTS

Aletha wants Board members to encourage our neighbors to attend the Board meetings and get involved.

IV. TREASURE'S REPORT (report attached)

Brian gave an overview of Financial Reports. For Aging Properties (Delinquent Dues) there were 12 properties with some sort of delinquency issue. 2 properties had late fees only outstanding. 2 properties, one on Quartzite Canyon and one on Lizard Rock are in foreclosure. 2 of the delinquent homeowners have contacted Brian and are working with him to get caught up. 3 homeowners owe for the current year and 3 owe for a previous year. Three of these properties are willing to pay their late fees if the legal fees are waived (CC&R Section 8).

Brian move to wave the legal fees for these three homes.

Motion to approve was seconded and passed.

## V. COMMITTEE REPORTS

- Landscape & Roads Committee
  - i. Dumpsters

Brian Bickel motioned to have 6 dumpsters for FALL cleanup to be scheduled November 7-8 and 14-15, 2015.

A discussion followed between Dale Prescott, Bob Reuss and Brian about whether we actually got 40-yard dumpsters this last time. It was agreed that is what everyone wants.

Brian motion to get 6, 40-yard dumpsters for FALL cleanup on November 7-8 and 14-15, 2015.

Motion seconded and passed.

- ii. Roads

Dale reported that Bates Paving was awarded the contract to patch our potholes in the Clusters. While no actual date has been set yet, Dale believed it would be within the next couple weeks. Thus in preparation, potholes to be patched would be re-marked. Once we have a date, a notice will be posted on the sandwich boards at both entrances of the Clusters and to Nextdoor EVENTS section.

A discussion followed about patching a few “new” potholes on Evans Mtn. Dale replied that the County has a pothole hotline, but would discuss the possibility of Bates filling these as well. A question was raised about if there would be any road closures, especially on Marshall Gulch where the largest patches are? Dale said that he did not think so, but if a closure is expected, the committee will do everything possible to notify the residents.

Motion to approve the Landscape & Roads report was made, seconded and passed.

- Business Process Committee

Brian suggested that the Web/Communication segments should be a separate committee. A discussion followed between Bob, Brian and Irene. Bob Newcomb agreed to explore this suggestion. This will be on the agenda for June under ‘old business’.

Motion to approve the report, seconded and passed.

- Architectural Control Committee (report attached)

A hard copy of the Architectural Control Committee Report was provided. No new submissions in progress this month. An update on setbacks (per County & CC&R) was provided, discussion followed between Bob, Dale and a member of the audience.

Motion to approve the report, seconded and passed.

- CC&R Enforcement Committee

Dave Larrabee reported that one trashcan problem had been reported to him and that he had spoken with the homeowner and the problem has been resolved.

#### VI. OLD BUSINESS

- Lights at West entrance

Bob Newcomb (proxy for Dena) – The cost to replace the lights and correct the switches on the east side cost more than budgeted for both East & West entrances. Dena request an increase to the total budget to from \$125 to \$325 to complete the work.

Bob motioned to approve the increase, seconded and passed.

#### VII. NEW BUSINESS

- Newsletter

Brian reports that a Spring Newsletter will be mailed shortly. Brian will transition this task to Irene in time for the Summer Newsletter currently scheduled for July. Dale will work on an article about ‘Roads’ for the July newsletter.

#### VIII. MASTER ASSOCIATION

Although previous annual meetings of the Master Association were held in private homes, the 2014 meeting was held in March 2015 at the Jewish Community Center. There was a suggestion was that all other meetings (whether they be annual, monthly, quarterly, or just called when needed) be held at a public location and that members be notified of the meetings. A discussion followed between members in the audience and Dale. No motion was made.

#### IX. ADJOURN – Meeting adjourned at 7:53 PM.

## **Architectural Control Committee Report May 4, 2015**

### **Submissions and pre-submissions:**

- No submissions in progress this month

### **Update to setback issue**

Last month I reported that we had gotten verification of correct setback information from two people at the Pima County Building and Site Development Division. During the month, I contacted the owner who submitted plans that appeared to be in violation and I asked for clarification of his side setback. He responded that was told by the County that we have only 3-foot setbacks.

On April 23, Joe Mucenski and I went to the County office and met with Chris Poirier, the Assistant Planning Director of “Land Planning and Regulation”. After describing our concerns and experiences, Mr Poirier seemed to know exactly what we were looking for, since he had gone through some similar research the previous week.

The bottom line is that we do have further requirements due to being in a clustered development, and the setback numbers are as agreed upon between the developer and the County. This is governed by County Zoning Plan Section 911-k, which, in our case, indicates no specific setbacks, allowing the building code to dictate. Per the IRC or IBC, a wooden structure must have a 3’ Fire Setback on the side and rear unless treated to be fireproof. A metal structure has no setback requirements.

The rule of thumb is three feet or one hour (of fire resistance) .

**The Foothills Clusters Homeowners Association**  
**BALANCE SHEET**  
As of April 30, 2015

	TOTAL
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Bank Accounts</b>	
BBVA Compass MM 8225	0.00
Old Operating Account	0.00
WFB Checking 7998	79,103.72
WFB Savings 0057	465,135.80
<b>Total Bank Accounts</b>	<b>\$544,239.52</b>
<b>Accounts Receivable</b>	
Accounts Receivable	4,954.86
<b>Total Accounts Receivable</b>	<b>\$4,954.86</b>
<b>Other current assets</b>	
Federal Income Tax Withheld	72.93
Undeposited Funds	0.00
<b>Total Other current assets</b>	<b>\$72.93</b>
<b>Total Current Assets</b>	<b>\$549,267.31</b>
<b>Other Assets</b>	
BBVA Compass (deleted)	0.00
W/F Business High Yield Savings (deleted)	0.00
<b>Total Other Assets</b>	<b>\$0.00</b>
<b>TOTAL ASSETS</b>	<b>\$549,267.31</b>
<b>LIABILITIES AND EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
Accounts Payable	0.00
<b>Total Accounts Payable</b>	<b>\$0.00</b>
<b>Total Current Liabilities</b>	<b>\$0.00</b>
<b>Total Liabilities</b>	<b>\$0.00</b>
<b>Equity</b>	
Opening Balance Equity	434,957.74
Retained Earnings	122,003.93
Net Income	-7,694.36
<b>Total Equity</b>	<b>\$549,267.31</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$549,267.31</b>

*Sunday, May 03, 2015 12:03:50 PM PDT GMT-7 - Accrual Basis*



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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.

Dena Petersen, the undersigned Board Member (the "Board Member"), of 3800 E Gibbon Mountain Place, 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 3693 E Esperero, 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.

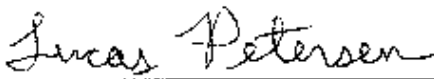
This designation of proxy shall be effective for the May 2015 Board Meeting of the Foothills Clusters Homeowners Association to be held on May 4, 2015, at 6:30 PM, and at all adjournments of such meeting.

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: none.

LOT NUMBER:188

  
\_\_\_\_\_  
Board Member Signature

5/4/15  
Date

  
\_\_\_\_\_  
Witness Signature

5/4/15  
Date