

The Foothills Clusters Homeowner Association
DRAFT MINUTES - BOARD OF DIRECTORS MEETING

Date/time: January 4, 2016 at 6:30 p.m.

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

1. CALL TO ORDER/ROLL CALL

- A. The meeting was called to order at 6:35 p.m.
- B. Roll call

Board Member	Present	Absent	Proxy
Aletha Kalish	X		
Bob Newcomb	X		
Brian Bickel	X		
Dave Spire	X		
Donna Sanders	X		
Irene Barg	X		
Laura Sheets	X		
Pat Tapke	X		
Tim Strong	X		

- C. A quorum was present.
- D. The next board meeting will be held on Monday, February 1, 2016 at 6:30 p.m. at Catalina Foothills High School, House #1, Seminar Room.

2. APPROVAL OF DECEMBER MINUTES

- A. Motion to accept the Minutes of the December 7, 2015 Board Meeting was made, seconded and passed.

3. PRESIDENT'S COMMENTS

Aletha shared the following wish list for 2016:

- A. Get a plan for the roadwork approved and the work done;
- B. Get the website done;
- C. Have better attendance at the monthly Board meetings;
- D. That the Foothills Clusters will become a true community;
- E. See adults in the community do a better job of working together;
- F. See the board and the community set and work together toward community goals;
- G. Improve communication and cooperation between Foothills Clusters and the Master Association.

4. TREASURER'S REPORT (BALANCE SHEET attached)

The treasurer indicated that he did not include a Transaction Detail by Account Report with his reports this month because this month's report includes detail regarding the 367 annual assessment invoices which were mailed in December, 2015 making the report 50 pages in length. He reported there were no unusual expenses paid this month. In response to a member's question, the treasurer indicated that payment of the annual assessment is due

by January 31, 2016 and that he was unable to arrange for electronic payments so only cash and checks can be accepted this year.

- A. Motion to accept Treasurer's report was seconded and passed.
- B. Motion to renew contract with attorney for unlimited telephone contact for a fee of \$50 including a one, one-hour meeting with the entire Board per year for a total cost of \$600 was made, seconded and passed.
- C. Brian will request an engagement letter from the CPA firm related to the annual review/audit.
- D. Brian requested an executive committee meeting with the attorney to discuss collection of bad debts.

5. COMMITTEE REPORTS

A. Architectural Control Committee with CC&R Enforcement:

- 1. Report attached
 - a. Discussion regarding roof decks with consensus that there is no objection to roof decks as long as they are safe and not obtrusive. Bob indicated that the homeowner at 3776 E. Nugget Canyon did not file an application for the roof deck with the Architectural Committee. Bob will write a letter to the homeowner indicating that they are out of compliance with the CC&Rs and requesting that they file an Architectural Change Application as well as obtain the required permit from the County.
 - b. Defining architectural change application types – to be presented to the Board at a later date.
 - c. Starting to design questionnaire to get neighborhood opinion on white roofs, approach to enforcement, etc. – hoping to have a presentation by the March, 2016 meeting.
 - d. Guest speaker from Pima County Planning Department – timing would be better later in the year. Keep on the agenda.
 - e. Motion to accept Architectural and CC&R committee report was made, seconded and passed.
- 2. Review of mock-up of suggested CC& R changes is being moved to the Business Process Committee.
- 3. Review of Enforcement Policy from attorney.
 - a. A copy of the proposed The Foothills Clusters Homeowners Association Enforcement Policy developed by counsel for the association, Carolyn Goldschmidt, was distributed to Board members. Bob Newcomb stated that the policy is intended to give the Architectural Control/CC&R Committee guidelines that are consistent with Arizona Statutes and that if passed, this policy would become part of the documentation for The Foothills Clusters Homeowners Association. Bob stated it is the intention of the committee to poll the community and revise the CC&Rs to reflect the needs and standards of the community. There was discussion of the enforcement policy related to dates, the documents process and due process. It was pointed out that the policy protects the homeowners from many of the arbitrary enforcement practices of previous boards.

- b. Motion to execute The Foothills Clusters Homeowners Association Enforcement Policy thereby making it a part of the documentation of the Association was made, seconded and passed.

B. Landscape & Roads Committee:

1. Report attached. Motion to accept the Landscape and Road committee report was made, seconded and passed.
2. A member indicated that the lights at the Skyline entrance are out. Irene will check the lighting and follow up with Bob Reuss.
3. It was noted that there are some landscape issues related to trees overhanging the streets and planting in the right-of-way that need to be address in connection with the road project. It was suggested putting a heads up to homeowners in the newsletter suggesting that homeowners take a look at their property and address any issues when the dumpsters are here in the spring. Irene will add this item to her agenda for Thursday meeting with Road Committee.
4. After discussion it was decided to schedule dumpsters for the weekends of March 11 through 13 and March 18 through 20.

Business Process Committee:

1. The committee is working on amending and restating the By-Laws and Declaration of Covenants Conditions and Restrictions of the Foothills Clusters and they hope to have draft documents ready for Board review by spring.

Communications Committee (See Report Attached):

1. Frank Karnauskas is investigating options for alternative website host and also presented a draft 'quick start' pamphlet for new residents (copy attached).
2. A list of committee members and contact information and a list of Board members with contact information were distributed. Board members were asked whether they wanted their personal phone numbers to be posted on the website. The consensus was to not post personal phone numbers at this point.

Nominating Committee: No Report

6. OLD BUSINESS

- A. HOA VISION AND PLANS FOR 2016 was tabled until March.
- B. Irene Barg presented a suggested list of duties that a paid administrative assistant could help Board members with and possible salary requirements were discussed. Board members were asked to respond by email to Irene with additional suggestions.

7. NEW BUSINESS – None

8. MASTER ASSOCIATION

- A. Brian stated that Foothills Clusters receive an invoice from the Master Association in December, 2015 for \$6,239.00 for the annual

assessment. In light of the anticipated financial needs of the Foothills Clusters HOA related to needed road improvements, Brian suggested that the board may want to consider passing the Master Association assessment on to individual homeowners in the future. A discussion of the issues is as follows:

1. The Foothill Clusters paid the Master Association \$6,239.00 in September, 2015. That invoice did not indicate the year of the assessment.
 2. Brian indicated that although the assessment is a \$17 per lot assessment to individual lot owners pursuant to the Master Association By-Laws, traditionally the Master Association has been allowed to bill The Foothills Cluster Homeowners Association for the assessment (367 lots @ \$17 per lot = \$6,239.00) as a convenience to the Master Association.
 3. Previous Foothills Clusters HOA Boards have made the decision to absorb the Master Association fee as an operating expense and not pass the fee along to the individual homeowners.
 4. Pat Tapke stated that she has records that indicate that the Master Association Assessment for the year 2006 was \$7.20 per lot for a total of \$2,642.40 and that per the Master Association By-Laws the dues can only be increased by 5% per year. With that in mind, it is mathematically impossible for the current dues to be \$17/lot and suggested asking the Master Association to provide a history of the assessments to FHCHOA from 2006 to the present.
 5. Joe Mucenski, the Secretary and Treasurer of the Master Association was present and indicated that the Master Association needed the funds for insurance premiums, taxes and attorney fees related to the property transfer at Lizard Rock. Joe indicated that the Master Association has been advised that they will need to purchase liability insurance in addition to their current Directors and Officers coverage which could cost about \$6,000.00. Joe indicated that he and other members of the Master Association Board are exploring the possibility of a transfer of common area currently titled to the Master Association to the individual homeowners associations with the intention to terminate the Master Association and related expenses and problems.
 6. It was decided not to pay the current Master Association assessment at this time and to continue to look at the issues.
9. The meeting was adjourned at 8:45 PM.
10. ATTACHMENTS: (TBD)