

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

Date/time: Monday, May 1, 2017 at 6:30 p.m.

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

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1. CALL TO ORDER/ROLL CALL

- A. Call to Order – the meeting was called to order at 6:30 p.m.
- B. Housekeeping – sign in roster, cell phones.
- C. Roll call

Board Member	Present	Absent	Proxy
Aletha Kalish	X		
Brian Bickel	X		
Pat Tapke	X		
Donna Sanders			X
Laura Sheets	X		
Bob Rosaldo	X		
Frank Karnauskas	X		
Irene Barg	X		
Open			

- D. A Quorum was present
- E. Next board meeting Monday, June 5, 2017, 6:30 pm, at Village Inn located at 6251 N. Oracle Rd. There was discussion about Village Inn closing on May 31<sup>st</sup>. Aletha will inquire about this.
- F. Status of Board Member Tim Strong. Aletha said that Tim Strong has resigned from the Board. She requested his name and contact information be taken off the foothillsclusters.com web site.

2. APPROVAL OF PRIOR MEETING MINUTES

- A. Motion to accept the Minutes of the April 3, 2017 Board Meeting was made, seconded and passed.

3. PRESIDENT’S COMMENTS

Aletha welcomed homeowners in attendance at the meeting and thanked board members for their participation and efforts. Aletha thanked all who helped with the Clusters cookout. She said the lower than expected attendance may have been due to a very hot afternoon. Aletha emphasized the main purpose of the proposed amendment to our CC&Rs is to make it easier in the future to conduct the business of the HOA.

4. COMMITTEE REPORTS

- A. Architectural Control Committee (see attached report)
  - i. Ten cases appear on the report of which 8 are minor.
  - ii. Lot 320, 3854 E. Gibbon Mountain. A letter from the HOA attorney was sent to the homeowner on April 12, 2017 stating that the Architectural Control forms were not completed but work had started. A discussion followed indicating that the homeowner had hired a contractor to 1) complete the forms; 2) talk to neighbors; and 3) complete a land survey. The homeowner indicated he was not aware that these had not been completed until he received the attorney’s letter. The Committee

recommends that the owner should pay attorney fees and stop work on the house until the above items are met. Frank made a motion that the Board accept the proposed agreement with KSW Properties, LLC as represented by Mr. Kaukaha Watanbe as follows:

1) Fines will be temporarily waived for beginning construction without first submitting a complete Architectural Change Form and for failing to communicate with the Board or its attorneys.

2) KSW Properties, LLC will submit a completed Architectural Change Form and a Pima County building permit to the Board at its next meeting on June 5.

If the completed Architectural Change Form and/or the Pima County building permit cannot be produced, KSW Properties, LLC will explain the reason(s) why the documents cannot be produced. If the required documents are not produced and no valid reasons are provided for their absence, the Board will again consider assessing the fines as allowed by HOA documents.

3) KSW Properties, LLC will reimburse the Board for all reasonable legal costs incurred to-date and in the future to resolve this matter.

The motion was seconded and passed.

- iii. Lot 505 – 3478 E. Nugget Canyon Pl. The homeowners received approval for an addition to their residence including a roof deck in April, 2017. On April 27, 2017 the ACC received a completed and properly prepared application for a second story addition to the previously approved addition. The committee did not want to approve the application because there are no two-story homes in the neighborhood and they felt it would be setting a precedent with unknown consequences, however the language of our CC&Rs...”as to harmony of external design and location in relation to surrounding structures and topography...” is subjective and the committee felt the matter should be deferred to the board as to whether a second story home in the Foothills Clusters is in “harmony”. After extensive discussion Frank moved that the application be approved. There was no second and the application was not approved.

#### B. Landscape & Roads Committee

- i. Roads (no written report)

- a. Irene indicated that the committee is essentially on hold until the governing documents issues are resolved.

- ii. Landscape (no written report)

- a. Irene will have a time line for pre-emergent in June.

#### C. Business Process Committee

- i. Status of consent form to amend the CC&Rs is ongoing. Frank thought the cover letter from the HOA president was well done. Frank reported 60 signed forms, 1 homeowner against and 7

‘Return to Sender’. A handful of consent forms were turned in at the meeting. The Committee will meet to develop a strategy to facilitate the signing process moving forward.

- ii. It was suggested that future mailings have the Lot number on the outside of the envelope.
- iii. 128 members signed up on Constant Contact to receive newsletters by email. We are 30 days into our 60 day free trial.

D. Communications Committee

- i. The spring newsletter was printed on Friday and will be mailed on Tuesday.
- ii. Frank will continue to work on the new email accounts.

E. Finance Committee (see attached report)

- i. Brian reviewed Treasurer’ Report including the Balance Sheet as of April 30, 2017, the A/R Aging Summary as of April 26, 2017 and the Transaction List for the period April 1 to April 26, 2017.
- ii. The committee is continuing to develop some internal control and accountability procedures.
- iii. The committee continues to work on goals related to financing of the roads, investment options to increase revenues and expense reduction options.

F. Welcoming Committee

- i. The Community Cookout was held on April 22, 2017. It was a very hot day and the turnout was light but everyone who came had a great time.
- ii. The committee did not receive notice of any new homeowners in the month of April.

5. OLD BUSINESS

- i. A question was raised at the finance committee meeting as to whether it is within the scope of the association to require a lot survey at the time that property transfers ownership. Frank will check with the attorney and report back on this. Tabled until June.

6. NEW BUSINESS

None

7. MASTER ASSOCIATION

- i. The Master Association Board of Directors met on Tuesday, April 4, 2017 at 4:30 in the Boardroom at the Jewish Community Center on River Road. A copy of Dan Weisz’ report is attached. The next meeting of the Master Association Board will be on Tuesday, July 5, 2017. The time and location will be announced.

8. ADJOURN – Meeting adjourned at 8:15 p.m.