

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

Date/time: Monday, January 6, 2020 at 6:30 p.m.

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

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1. CALL TO ORDER/ROLL CALL

1. Call to Order – the meeting was called to order at 6:33 p.m.
2. Housekeeping – sign in roster, cell phones.
3. Roll call

Board Member/Term Expiration	Present	Absent	Proxy
Aletha Kalish 2020	X		
Pat Tapke 2020	X		
Donn Stoltzfus 2020	X		
Brian Bickel 2021	X		
Austin Wesnitzer 2021	X		
Doug Hughes 2021	X		
Frank Karnauskas 2022		X	
Ron Steffens 2022	X		
Linda Jaworski 2022	X		

4. A Quorum was present
5. Next board meeting is Monday, March 2, 2020, 6:30 pm. at Catalina Foothills High School, House #1, Seminar Room, Tucson, AZ.

6. APPROVAL OF PRIOR MEETING MINUTES – Motion to accept the Minutes from the January 6, 2019 Board Meeting was made, seconded and passed.

2. PRESIDENT’S COMMENTS – Aletha Kalish welcomed everyone.

3. COMMITTEE REPORTS

1. Architectural Control and CC& R Committee (Report Attached).

- a. Architectural Control Committee-

- I. HEARING-

The homeowners at 3505 E Guthrie Mountain failed to resolve the infraction of the CC&Rs Article VII, Section 8. Vehicles and Equipment and was sent Notice of Hearing pursuant to the Foothills Clusters HOA Enforcement Policy adopted January 2020. Mr. Aden was advised that he had the choice to have the hearing held in private session or as part of the public board meeting. He indicated he was fine with the hearing being held at the public meeting. Linda Jaworski, co-chair of the ACC/CC&R Committee, conducted the hearing and indicated the hearing will determine whether or not a second notice of violation will be sent, and a \$50 fine will be levied. Mr. Aden indicated he felt he had done three things to resolve the

violation and indicated he had ordered a gate with delivery estimated at 6 to 8 weeks. It was reiterated by members of the board that Mr. Aden was given notice in August 2019 that pursuant to Article VII, Section 8 of the CC&Rs the vehicle could not be kept on his property except in an area which is completely enclosed and approved in writing by the Association or its committee and that the board and the Architectural Control Committee specifically indicated that the gate and raised wall would not satisfy that requirement. Motion to send a second notice of violation and levy a \$50 fine was made, seconded and passed. The vote was six (6) yes, one (1) no and one (1) abstaining.

II. Architectural Control Committee Report (report attached)

- 3827 E Gibbon Mountain – garage addition approved.
- 6880 N Cascade Springs – square footage addition approved.

b. CC& R Committee-

I. CC& R Enforcement Action (report attached)

- 3545 E Ventana Canyon – barking dog situation resolved to complainant satisfaction.
- 3535 E Marshall Gulch – first notice of violation will be issued regarding unsightly nuisance complaint.
- 3553 E Lizard Rock – storage container removed.
- 3574 E Lizard Rock – belongings scattered in yard resolved.
- 3818 E Marble Peak – the committee will meet and get clarification regarding possible grading violation and excessive native growth removal. Note Pima County regulatory agency is involved. This matter is tabled until the March meeting).

c. Revision to Architectural Control Committee process (tabled until March meeting)

2. Landscape & Roads Committee

a. Roads

- I. Motion to have Austin move forward with getting bids to repair 34 pot holes on the private streets which are large and need to be fixed was made, seconded and passed.
- II. The potholes on Ventana Canyon have been repaired by Pima County Transportation Department.
- III. No discussion regarding exposed Comcast cable. This matter is tabled until the March meeting.

- b. Landscape – Austin is getting quotes for regular scheduled maintenance of the entrances.
- 3. Business Process Committee – Table discussion of Amendment to By Laws until March meeting.
- 4. Communications Committee – No report
- 5. Finance Committee
  - i. Brian had delivered 2019 financial information to accountant who will prepare financial statements and tax return.
  - ii. Brian will set up Caliber to allow all owners access to all financial documents except Accounts Receivable Aging Report.
  - iii. Brian indicated that the Directors and Officers Liability policy is up for renewal. The current limit is \$1,000,000. The board discussed and agreed this is sufficient.
  - iv. Brian indicated that board members are invited to a ‘Lunch and Learn’ presented by Goldschmidt/Shupe on February 20, 2020. The topic is Spring Refresher 2020 and will be presented by Carolyn Goldschmidt and is free. RSVP [office@gshoalaw.com](mailto:office@gshoalaw.com) .
  - v. The following financial reports were reviewed: Balance Sheet as of 1/31/2020; General Ledger Report 1/1/2020 to 1/31/2020; Accounts Receivable Aging with Status through 1/31/2020; Check Register 1/1/2020 to 1/31/2020; and Budget Comparison Report for the period 1/1/2020 to 1/31/2020.
- 6. Welcoming Committee
  - i. Welcome packets were mailed to the owners at 3863 E Marble Peak and 3529 E Nugget Canyon. The committee will attempt to deliver welcome packets to the new homeowners at 3887 E Marshall Gulch and 3693 E Esperero Canyon.

#### 4. OLD BUSINESS –

- a. 2020 Plan of Action – Brian is working with Jason Smith at Carpenter Hazelwood to amend governing documents. Brian indicated that the Amended Articles of Incorporation can be amended by petition. This would involve going door to door with petition and until the required (75%) signatures have been attained.
- b. The community Cookout will be held on April 4, 2020 at the home of David and Aletha Kalish. Invitations will be mailed to homeowners.

#### 5. NEW BUSINESS –

- a. Discussion on separate CC&R Enforcement Committee – tabled until March

6. MASTER ASSOCIATION –

- a.* The annual meeting of the Master Association is scheduled for Tuesday, February 25, 2020 at 4:30 pm at Manzanita Elementary School.
- b.* Dan reported that the Master Association is currently looking into two matters involving properties in Foothills Clusters and common area – one on Marble Peak and one on Quartzite Canyon.

7. ADJOURN – Meeting adjourned at 8:11 p.m.