

The Foothills Clusters Homeowner Association
MINUTES - BOARD OF DIRECTORS MEETING

Date/time: Monday, February 3, 2020 at 6:30 p.m.

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

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, February 3, 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 December 2, 2019 Board Meeting was made, seconded and passed.

2. PRESIDENT’S COMMENTS – Aletha Kalish welcomed everyone and welcomed 2020 and an opportunity to move forward. Aletha thanked all the board members and committee member for their hard work especially Brian who has put in a great many hours setting up Caliber, the portal and getting the assessment notices out.

3. COMMITTEE REPORTS

1. Architectural Control and CC& R Committee (Report Attached).
 - a. Architectural Control Committee-
 - I. The homeowners at 3505 E Guthrie Mountain submitted an Architectural Change application to change the side yard gate to an opaque metal gate and raise it above 8 feet and raise wall bricks on side to same height to park RV in back yard. Included as part of the application was a detail sheet indicating that the gates are to be 97” and the brick side wall extended to same height as gate although the detail also indicated the gates would be 1 – 2” below top of wall. It was noted that the homeowners have been notified that they are currently in violation of Article VII, Section 8 of the

CC&Rs which says “No trailers or habitable motor vehicles of any nature, no commercial vehicles, construction vehicles , or like equipment of any nature shall be kept on or stored on any part of the property except within an area, which is completely enclosed and approved in writing by the Association or its appropriate committee.” The homeowners were present at the meeting. A discussion of the architectural change application included concerns of most board members that approval of the proposed change might be construed as correction of the CC&R violation. It was clearly stated that the CC& R issue is completely separate, and approval of the architectural change application does not resolve the CC&R violation. Motion to approve the architectural change application with notation that the approval does not resolve the CC&R violation was made, seconded and passed. Frank will send a letter to this effect to the homeowners.

II. Frank noted that there was one additional architectural change application submitted and approved at 6880 N Cascade Springs. Details will be included on the January ACC report.

b. CC& R Committee-

I. Frank reported that notice of violation of CC&Rs will be mailed to the homeowners at 3505 E Guthrie Mountain for the second time to correct any possible technical difficulties with the first mailing. The homeowners will be given 10 days to completely enclose or remove the RV-bus parked in their yard in violation of Article VII, Section 8 of the CC&Rs.

2. Landscape & Roads Committee

a. Roads

I. Austin was unable to attend the meeting, but Brian reported that he is in the process of getting quotes for pothole repairs.

II. Irene was asked to follow up regarding the lights that are out at the Skyline entrance to the subdivision. Irene reported that due to frequent light outages in 2016, the Association hired Mission Electric to install transformers, raise the lights and run new lines. Irene suggested troubleshooting the lights with a handyman at this time and if the problem cannot be resolved she will contact Mission Electric. Irene had a sample of a solar light and suggested installing several at the entrance as backup measure. Motion was made, seconded and passed to authorize Irene to move forward at her discretion with repairs to the entrance lights and spend up to \$1,500 for any needed repairs. If the repairs will exceed \$1,500, Irene will come back to

the board with an update and request for additional funds.

III. No discussion regarding contacting the Pima County Transportation Department regarding pothole repairs needed on Evans Mountain and Ventana Canyon. This matter is tabled until the February meeting

IV. No discussion regarding exposed Comcast cable. This matter is tabled until the February meeting.

b. Landscape – Brian reported that Austin is in the process of getting quotes for entrance maintenance.

3. Business Process Committee – Table discussion of Amendment to By Laws until February meeting.

4. Communications Committee – Frank reported that everything is up to date.

5. Finance Committee

i. Brian reviewed status of Caliber.

ii. Quick Books finance reports including, Balance Sheet Comparison, A/R Aging Summary, and Transaction List by Detail for period ending November 24, 2019 and the Caliber financial reports including Balance Sheet, General Ledger Report, Accounts Receivable Aging Report and Check Register for period ending November 30, 2019 were reviewed. The Balance Sheet as of 12/31/19, General Ledger Report 12/1/19 to 12/31/19, Accounts Receivable Aging Report through 12/31/19 and the Check Register 12/1/19 – 12/31/19 (Caliber reports) were reviewed. Motion to accept reports as presented was made, seconded and passed.

iii. Approval of the 2020 budget was *I don't have anything in my notes on this. Does anyone remember if it was approved?*

6. Welcoming Committee

i. One packet delivered and two pending. Brian is in the process of setting up a report in Caliber that will provide information regarding new homeowners.

ii. Doug will send a welcome/thank you email to new homeowners in attendance at this meeting.

4. OLD BUSINESS –

a. 2020 Plan of Action – Table until February meeting.

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.

c. Doug ask that we make sure to get email address on sign in sheet for new homeowners.

5. NEW BUSINESS –

a. Frank presented a revised Enforcement Policy which proposed to change the 1. Notice of Violation section to add, “Any member of the Board of Directors can initiate a Notice of Violation or Notice

of Hearing on behalf of the Association and its Board.”, and a change to 2. Contents of Notice, Section C to change that section to read, “The name of the person(s) or organization that observed the violation; and” for review. Motion to adopt the revised Enforcement Policy was made, seconded and passed.

- b. Executive Session Protocol – Donn reviewed A.R.S. 33-1248(A) which allows the Board of Directors of a Planned Community to meet in closed or executive session to discuss the following: (1) Legal advice from an attorney for the Board or the Association; (2) Pending or contemplated litigation; (3) Personal, health and financial information, about an individual member of the Association, an individual employee of the Association or an individual employee of a contractor of the Association; (4) Matters relating to the job performance of, compensation of, health records of or specific complaints against an individual employee of the Association or an individual employee of a contractor of the Association who works under the direction of the Association; (5) Discussion of a member’s appeal of a violation cited or penalty imposed by the Association except on request of the affected member that the discussion be held in an open session. Donn noted that before entering a closed portion of the meeting, or in the notice of a closed meeting, the Board must identify the section that authorizes why the Board is closing the meeting. Donn suggested that we change our Agenda format to include a statement as follows: The Board of Directors can adjourn to Executive Session based on the following:

A.R.S Section 33-18004(A)(1)	Legal advice from an attorney for the board or the association.
A.R.S. Section 33-1804(A)(2)	pending or contemplated litigation
A.R.S. Section 33-1804(A)(3)	personal, health, or financial information of member or employee
A.R.S. Section 33-1804(A)(4)	job performance or personal matters of association’s or contractor’s employee
A.R.S. Section 33-1804(A)(5)	discussion of member’s appeal of violation or penalty

The board agreed to this in principal and Brian suggested checking the agenda for the Pima County Board of Supervisor’s for language. Donn indicated he would provide sample language.

6. MASTER ASSOCIATION –

- a. The January Master Association Board meeting was cancelled.
b. The annual meeting of the Master Association is scheduled for Monday, February 24, 2020. Time and location will be announced.

7. ADJOURN – Meeting adjourned at 8:09 p.m.