

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

Date/time: Monday, October 11, 2021 at 6:30 p.m.
Location: Zoom Video Conference

1. CALL TO ORDER/ROLL CALL

- a. The meeting was called to order at 6:30 pm.
- b. Housekeeping - Zoom attendees were asked to mute their microphones.

Board Member/Term Expiration	Present	Absent	Proxy
Aletha Kalish 2023	X		
Vacant 2023			
Michael Katz 2023	X		
Frank Karnauskas 2022	X		
Ron Steffens 2022	X		
Linda Jaworski 2022	X		
Brian Bickel 2021	X		
Austin Wesnitzer 2021		X	
Douglas Hughes 2021		X	

c. A quorum was present. Next board meeting to be held November 8, 2021 at 6:30 PM via Zoom Video Conference. For details go to the Clusters website at www.foothillsclusters.com.

d. The Foothills Clusters Annual Meeting will be held November 7 at a time and location to be determined.

Following the roll call and announcement of future meetings, Mr. Karnauskas announced a change TO the published agenda in order to fill the Board of Directors position left vacant by the recent resignation of Ms. Barg. After thanking Ms. Barg for her service, Mr. Karnauskas noted that the Bylaws authorize the Board to fill a vacant position by appointment. After some discussion, a motion was made and seconded to nominate Donn Stoltzfus to the Board. The motion passed by acclamation. Mr. Stoltzfus was designated, also by acclamation to serve as the Board Secretary.

2. APPROVAL OF PREVIOUS MONTH'S MINUTES - Motion to accept the Minutes from the September 13, 2021 board meeting was made, seconded, and passed.

3. PRESIDENT'S COMMENTS - Mr. Karnauskas expressed optimism about the momentum and interest in the HOA as evidenced by the passage of the change to the

Articles of Incorporation to allow for the road replacement project and the level of interest that had already been expressed in the Annual Meeting. He noted that the concerns expressed by some homeowners when contacted about the vote on the Articles of Incorporation showed that there was much to be done and room for improvement for the Board in the coming year

At 6:38, Mr. Hughes joined the meeting and was acknowledged.

Mr. Karnauskas issued a Call for Nominations from the floor for candidates in the November election for three Board of Directors positions. Hearing none, a motion to accept the ballot with 5 previously-identified candidates was made, seconded, and passed unanimously.

4. COMMITTEE REPORTS

a. Architectural Control Committee with CC&R Enforcement (Ms. Jaworski)

I. Architectural Change Applications:

- 3523 E. Nugget Canyon - application for a new garage was received, plan/permit information reviewed, a site visit performed, and approval issued.
- 3720 E. Espero Canyon Place - application for a home addition was reviewed, site visit performed, preliminary approval granted pending permit.
- 6460 N. Burro Creek Place - application for a backyard spa was reviewed, site visit performed and preliminary approval granted pending permit.
- 6860 N. Quartzite Canyon Place - application for a solar project was received, site visit performed, and approved.
- 6400 N. Burro Creek Place - application for trim painting reviewed and approved.
- 6760 N Cascade Spring Place - application for driveway pavers and landscaping in review, site visit scheduled.

ii. CC&R Enforcement

- 6412 N. Burro Creek Place - Courtesy Notice sent in response to a large RV in the driveway for an extended period. RV was no longer present on 10-10-21.
- 3456 Guthrie Mountain Place - Courtesy Notice sent for a derelict vehicle (green Volvo) parked in the front yard. Owner responsive, vehicle removed.
- 3556 E. Lizard Rock Place - Courtesy Notice sent following receipt of an Unsightly Nuisance Complaint regarding

- multiple temporary shade covers in driveway. Owner responsive and shades removed.
- 3500 E. Nugget Canyon Place - Courtesy Notice sent following receipt of an Unsightly Nuisance Complaint regarding two temporary shade structures in driveway. Debris also noted upon site drive-by. Shade structures remain in place on 10-10-21. First Notice of Violation pending.
- 3557 E. Marshall Gulch Place - Pending CC&R action under committee review regarding failure to meet agreed conditions of approval of an Architectural Change Application for an atypical solar project. Committee will meet to discuss.

iii. Miscellaneous

- 3434 E. Guthrie Mountain Place - approval for storage container to be placed in driveway for storage during a house renovation project. Approved dates 10-6-21 through 12-31-21.
- 6665 N. Pigeon Spring Place - approval for short term RV parking for unloading and cleaning.
- 6846 E. McFall Crags Place - approval for short term RV parking by visitors.

Ms. Jaworski announced that the ACC is in the process of revising the Architectural Control Guidelines in response to some recent issues arising out of a growing number of home construction projects. The committee wants to introduce greater specificity while retaining flexibility, and will attempt to strike a balance between the community good and property ownership. Those guidelines are expected to be brought to the Board for review and approval at the November meeting. The rules will be provided to the Board at least 7-14 days in advance of that meeting

Ms. Jaworski also noted that the workload on the ACC has increased substantially in 2021 as there are an increasing number of property improvement projects and often new residents bring new expectations. The ACC contemplates seeking more volunteers and dividing the workload between a committee tasked with architectural review and a second committee tasked with CC&R enforcement.. Details will be discussed at the November Board meeting and a call for volunteers may be made at the Annual meeting. Mr. Katz volunteered to serve on the ACC in the future

b. Landscape and Roads Committee

i. Roads report

Mr. Bickle stated that he and Mr. Wesnitzer continue to monitor the Pima County road repair bid process, and it now appears that new projects in our area will not be announced for bid until early in 2022. The intent is to see if our road project can be done concurrently by the County's selected contractor(s) to save costs. In order to not get behind on the process, Mr. Bickle will prepare a preliminary loan application with Caliber Bank to get an idea of the terms and interest rate that they may apply to the HOA, and to hopefully shorten the time for approval once a contractor is selected and bid approved. He noted that projected project costs are increased by the presence of 142 survey monuments in the community roads, each of which must be reset during the road replacement project. In general discussion it was noted that inflationary pressures, particularly the cost of oil, may impact the road replacement project.

ii. Landscape Report

Mr. Steffens announced that the landscape contractor (Brightview) will be tasked for a general community cleanup beginning November 8, to consist of cleanup in the cul-de-sac areas, treatment of invasive grasses, and green waste pickup at residences as was done earlier this year. Mr. Weisz noted that until now there has been no specific plan to remove invasive grasses, but with the Statement posted on the website and the survey and outreach to specific homeowners there is an opportunity to both educate homeowners to do self-removal or allow the landscape contractor to treat/remove grasses along the ROW. He stressed that it is a multi-year process to permanent remove invasive grasses.

Ms Jaworski relayed the concern of a nearby resident about the buildup of sand on Ventana Canyon Road at Campbell Wash, and Mr. Stoltzfus added concerns about several large potholes in the same area. Mr. Weisz noted that the likely cause of the sand was the past placement of rip-rap below the road to prevent undercutting of the asphalt, but which was placed at a height that effectively traps sediment that would otherwise move further downstream. After some discussion Mr. Steffens agreed to speak to Brightview about the rip-rap placement and also see if they had the capability to remove the sand in the interim. Mr. Karnauskas volunteered to pursue a means of filling in the major potholes in the community, including this area at Ventana Canyon and Cascade Spring Place.

c. Communications Committee

Ms Jaworski stated that in her recent contacts with homeowners regarding the changes to the Articles of Incorporation she became aware of the need for the Board to better our communication with homeowners. While homeowners had many good suggestions, they also were often unaware of the role of the Board and some

evidenced a mistrust of the Board and its intentions. She will be seeking volunteers for the Committee and through discussion over the next couple of Board meetings would like to develop a plan for better and more frequent communication.

d. Treasurers Report

Mr. Bickle presented the Statement of Accounts and Balances through October 2021.

e. Welcoming Committee

It was noted that volunteers will be needed to continue the tasks of the Committee in 2022.

5. OLD BUSINESS

None was discussed.

6. NEW BUSINESS

a. Law Firm Change

Mr. Karnauskas noted that the Board's attorney, Jason Smith, recently left the law firm of Goodman.Holmgren and was now a partner in the firm of Smith and Wamsley. In light of the long and satisfactory relationship that the Board has with Mr. Smith, Mr. Karnauskas recommended contracting with the new firm. A motion to do so was made, seconded, and passed unanimously.

b. Architectural Control Committee Guidelines

Tabled till a future meeting.

c. Community Cookout

Ms Kalish announced that she and David would again be hosting the always-popular community cookout at their house on Saturday October 16, 2 PM til..?. Hot dogs and soda provided, BYOB and a potluck dish to share.

7. MASTER ASSOCIATION

Mr. Weisz reminded the Board of the upcoming meeting of the Master Association and noted that the bufflegrass control effort in Campbell Wash had been delayed by rain and would be rescheduled.

8. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

Mr. Hughes noted that anyone wishing an update on the differential water rates proposal process at Tucson Water should check the website of Pima County Supervisor Scott. Pima County is in opposition to the proposal and written communications have been exchanged with Tucson Water and posted on the website.

Mr. Karnauskas thanked several members of the public for their interest and attendance.

9. ADJOURN

The motion to adjourn the meeting passed unanimously.