

**THE FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION- BOARD OF
DIRECTORS MEETING
Meeting Minutes**

Monday, February 14, 2022 at 6:30 PM
Location: Zoom Video Conference

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:32.

Board Member/Term Expiration	Present	Absent	Proxy
Brian Bickel 2024	x		
Doug Hughes 2024	x		
Austin Wesnitzer 2024	x		
Aletha Kalish 2023	x		
Michael Katz 2023		x	
Donn Stoltzfus 2023	x		
Frank Karnauskas 2022	x		
Linda Jaworski 2022	x		
Ron Steffens 2022	x		

2. APPROVAL OF PREVIOUS MONTH'S MINUTES

The minutes of the January 2022 meeting were approved without revision.

3. PRESIDENTS COMMENTS

The President welcomed the Board and homeowners in attendance. He thanked Linda Jaworski for her work in compiling homeowner email addresses for the directory and Ron Steffens for his authorship of homeowner communications concerning the street project. A call to the floor for any initial comments or questions from the public went unanswered. There were 27 in attendance at the start of the meeting.

4. STREET PAVEMENT REPLACEMENT PROJECT

Austin Wesnitzer stated that he had received responsive proposals from two street paving contractors, and it appeared at least one would be within our final budget constraints. Brian Bickel presented the loan offer sheet from Alliance Associates Bank, which presented terms and key conditions assuming an \$800,000 loan.. Focusing on the 15-yr loan options, Brian explained that the bank is offering a fixed rate of 5.6%, corresponding to a monthly payment of

\$6612, or an initial 4.9% rate which would reset in 7 years at an initial monthly payment of \$6313. Notable loan conditions include no required real estate collateral (the bank could not lien personal residences in the event of non-payment) and maintenance of a minimal balance of 2 years of homeowner assessment, revenues, approximately 225,000. While Brian will seek to clarify terms in future discussions with the bank, he recommended in light of these conditions and the required monthly debt service the Board consider a withdrawal of \$650,000 from its current cash assets which, in combination with the loan, would imply a project cost not to exceed 1.45 million dollars.

There followed extensive Board discussion of the details of the loan and contracting mechanisms. Austin emphasized the contract would not be a lump sum contract, but rather include contingencies which, if not exercised, would return the unused contract balance to the HOA. He opined that the optimal approach, given the funding limitations, was to apply 3" of asphalt at all cul-de-sacs where there is greater wear and tear over time, particularly from garbage trucks, and 2" at all other locations. In response to a question from a homeowner attending the Zoom session, Austin pointed out that the County expects to apply 2" of pavement when they repave Evans Mountain Drive and Ventana Canyon Drive, and that our neighboring communities who paved their streets in 2021 also applied 2", so Foothills Clusters would be able to act comparably and obtain a quality product at the projected budget.

Upon request, Austin said that he would provide a copy of the project specifications to the Board members in the near future for review. Brian will report to the Board on his future discussions with the bank. The Board was told that it would typically have 30 days to accept the loan after committing to final terms, and 60 days to accept or reject the contractors final cost proposal. With that in mind, the Board discussed a goal of getting signature approval to proceed from the homeowners by April 1, with construction targeted for early summer, if all goes well.

A motion was made by Frank Karnauskas and seconded by Aletha Kalish to approve a project amount of 1.45 million. After brief discussion, roll call vote was taken and the motion passed, 8-0, with no abstentions. Austin to follow up with the contractors.

A motion was made by Frank Karnauskas and seconded by Donn Stoltzfus to seek the approval of the homeowners to obtain an \$800,000 loan for the purpose of the streets project. After brief discussion, a roll call vote was taken and the motion passed, 8-0, with no abstentions.

5. COMMITTEE REPORTS

Landscape and Roads Committee: Ron Steffens discussed the plan to coordinate the next green waste pickup event with the trimming of plants

encroaching on the street right-of-way in advance of the repaving project, with this event planned for late March or April. He is also intending to replace the solar lighting at the entrance to the community in that timeframe. In response to a question, Ron said the committee also expects to propose a solution to the problem of sand accumulation on Ventana Canyon Road at Campbell Wash, which might involve installation of concrete or other measures concurrent with the road project, or another alternative approach.

Architectural Control Committee: Linda Jaworski presented the following actions on change applications:

- 3856 E. Diablo Canyon Place-Application for driveway pavers, approved with conditions.
- 3584 E. Gibbon Mountain Place-Application for trim and gate painting, approved.
- 6721 N. Quartzite Canyon Place-Application for new pool build, under review.
- 6865 N. Cascade Spring Place-Application for new gates and security door, approved.
- 3864 E. Marshall Gulch Place-Application for roof top solar panel installation, approved.
- 3570 E. Marshal Gulch Place-Previously approved application for shade structure, closed, post completion of project.
- 3681 E. Esperero Canyon Place-Application for driveway pavers approved.
- 3836 E. Mount Kimball Place-Application for re-coating of roof, pending completion and review.
- 3873 E. Diablo Canyon Place-Application for new fence surrounding backyard, pending completion and review.

Recently Completed Projects

- 3570 E. Marshal Gulch Place-Previously approved application for shade structure, closed post review and completion of project.
- 6830 N. Cascade Spring-Previously approved application for trim painting and roof re-coating complete post review and completion of project.

Miscellaneous

- 3830 E. Diablo Canyon Place-Height variance approved for new addition build.
- 3773 E. Marble Peak Place-ACC meeting with homeowner to discuss Architectural Guidelines with regard to potential new build.
- 3716 E. Guthrie Mountain Place-New homeowner requests permission for storage pod to be placed in the street for several days. Encouraged notification of neighbors and discussed safe placement away from driveway entrances, etc..
- 3690 E. Esperero Canyon Place-Notification of gutter installation.

A homeowner asked how she could voice concerns to the ACC about a proposed project, noting that the process and timing was not clear from the ACC application. Linda replied that concerns should be directed as soon as possible

after the details of the project were known, and did not have to be discussed directly with the application before approaching any member of the ACC. There was some discussion of revising the application in the future to clarify the process to make comments on a pending application.

Business Process Committee: Brian Bickel reiterated that he would be discussing loan details with the bank shortly and will inform the Board.

Budget and Finance Committee: Current accounts show a total net balance of approximately \$1,006,000.in 2022. The annual budget with estimated revenues of and expenditures of was discussed. A motion to approve the annual budget was made by Brian, seconded by Ron Steffens, and approved by acclimation.

Communications Committee: Frank Karnauskas thanked Ron Steffens for assistance in developing communications materials about the streets project, and said that the committee would immediately begin preparing a letter to the homeowners requesting approval of the loan. Donn Stoltzfus asked that this letter be circulated to all of the Board members for a quick review before it was finalized and sent out. It was noted that all Board members should be prepared to assist in the push to gather the necessary signatures (2/3 of the homeowners, or 245).

Enforcement Committee: Donn Stoltzfus noted that he and Ron Steffens had begun following up on complaints regarding several properties summarized below. He reminded those in attendance that enforcement was the result of community participation rather than any sort of formalized periodic inspection process by the Board or an HOA contractor.

6840 N. McFall Crags: Untidy front yard, overnight street parking. Courtesy Notice sent 2/10 by mail and email, no response to date.

6763 N. Quartzite Canyon: Parking vehicle on landscape. Courtesy Notice sent 1/18 by mail, no response. No one answered the door on a home visit.

Preparing Notice of Violation to be sent.

3555 E. Thimble Peak: Equipment (water softener) not concealed in front of the residence. Out of state owner. Notice sent 1/18 by mail. Response in early February indicated intent to comply. Requested owner to submit an ACC application once the means of concealment is chosen.

3856 E. Diablo Canyon: Untidy front yard, parking on landscape, vehicle under repair. Notice sent 1/18 by mail and by email. Owner responded and has cleaned up their yard. Vehicle to be repaired and restored to operation no later than March 31. Parking violation continues, will try to discuss one more time and if non-compliance remains will prepare a Notice of Violation.

3757 E. Marshall Gulch: Failure to complete all aspects of an approved construction project (approved September 2020). Communication continues, owner has done some additional work and indicated that the project would be completed this spring. Will continue to monitor.

Welcoming Committee: Irene Barg said that she recently mailed welcoming packets to three new community members.

6: MASTER ASSOCIATION REPORT. Dan Weisz announced that the annual meeting of the Master Association would be held via a Zoom session on Tuesday, March 8. The Association met last week to discuss a new approach to buffelgrass removal that was proposed to them, and decided to continue their relationship with Brightview Landscaping. Buffelgrass treatment will resume in spring after the plants resume active growth, which is the optimal time to apply herbicides...

7: OLD BUSINESS:

The ACC committee is continuing with the revision of the guidelines for new construction. Formal Board review will be tabled until April due to the pressing need to make decisions and move forward with the street repaving project.

Donn Stoltzfus said he expects to receive a revised access agreement for review from Comcast in the near future and would keep the Board informed..

8: NEW BUSINESS - The homeowner at 6721 N. Quartzite Place noted that they were in the process of responding to comments from the ACC on their application to install a pool in the backyard. The homeowner has requested access across Pima County ROW and the HOA Common Area for the purpose of doing the work and expressed a desire to have some continued discussion to see how that might take place, in hopes of a quick resolution. Members of the ACC agreed to schedule an on-site meeting with the homeowners later this week.

9. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

None offered.

10. ADJOURN

The meeting was adjourned at 8:29