

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

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

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:30.

| 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 February 2022 meeting were approved without revision.

3. PRESIDENTS COMMENTS

The President welcomed the Board and homeowners in attendance, and particularly noted that attendance is increasing, which benefits the community and the Board as it considers community business. A call to the floor for comment prior to following the agenda did not result in any comments.

4. STREET PAVEMENT REPLACEMENT PROJECT

The majority of the meeting was spent in discussion of the project, with participation from several attending homeowners who offered suggestions and had questions for the Board.

Brian Bickel reported that he was still in negotiation with Alliance Associates Bank over the terms of the loan, and was working with a loan officer to see how the bank underwriting requirements could best be addressed while obtaining the most favorable conditions for the community. He noted that once the details were arrived at and agreed upon, the loan would then go to a loan committee at

the bank for final approval. On the HOA side, approval of 2/3 of the homeowners (245/367) is necessary before the Board can accept the loan.

Austin Wesnitzer reported that due at least in part to the amount of work that is happening this spring, it has been difficult and time-consuming to get initial project bids from contractors, but that three bids have been obtained to date. He was not yet ready to make a recommendation, but that it still appears that the project will be affordable within the expected range of the loan and funding from HOA accounts.

The uncertainty about asphalt pricing is still a factor, but the final contract will have a mechanism to adjust pricing in a limited manner if oil prices increase or decrease in the time between acceptance of a bid and the start of construction.

In answer to a question from a homeowner about why the process was taking so long, Brian noted the need for homeowners to approve a loan. There was discussion about how to proceed with the request to homeowners for approval, but ultimately it was determined that an approval form would be prepared and mailed before the end of March. One homeowner per lot would need to sign the approval form and return it by email or by mail. If the initial response does not meet the required 245 votes, Board members are prepared to go door-to-door and contact those individuals who failed to respond.

Doug Hughes requested that Brian and Austin keep the Board updated periodically on their progress. Donn Stoltzfus voiced a desire to review the proposed contract and specifications before voting, particularly with respect to insurance coverage, indemnification, and arbitration of disputes. It was decided that the Board's attorney would be given the proposed contract for review prior to any vote by the Board.

Austin reported that the County would be paving Skyline, Evans Mountain, and Ventana Canyon Drive by the end of March. It will probably be June-July, at the earliest, before the private streets can be paved by the Board's selected contractor.

5. COMMITTEE REPORTS

Landscape and Roads Committee: Ron Steffens requested and received approval to contract in an amount not to exceed \$6500 for a spring green waste cleanup. Timing to be determined, likely late April - May. He recommended that the same contractor, Brightview, be contracted for the necessary right-of-way trimming that must precede the street paving project.

Architectural Control Committee: Frank Karnauskas presented the committee report which included the following properties:

3836 East Mount Kimball Place: Application approved for a roof shingle replacement and simple rooftop solar panel installation.

6721 North Quartzite Canyon Place - Application approved for an in-ground pool, following a site visit with the homeowners that resulted in some modifications to the original plan. Final approval contingent on a Pima County permit.

3749 East Marble Peak Place - Application approved for installation of driveway pavers.

3739 East Guthrie Mountain Place: Application received for a simple rooftop solar installation, approval pending.

3773 East Marble Peak Place: Telephone meeting with the owner and architect regarding an upcoming new build. Answered questions about the applicable guidelines. Homeowner to submit plans for review.

6760 North Cascade Springs: Construction sand dumped in common area after a landscaping project. Performed site visit with Dan Weisz, owner was responsive and the problem resolved.

3724 East Lizard Rock Place - Coordinated inspection with Dan Weisz in response to a complaint about "tree topping" within the common area. Claim was substantiated by the observation of egregious cutting of native vegetation. Referred to Master Association.

Dan Weisz noted that he had reviewed four instances in the past month of encroachment or vegetation removal in the common area, and in each case the homeowners professed not to have a good understanding of the HOA, the common area responsibilities, and how to get information about the common area. Dan suggested that the welcoming packet could be enhanced, and he would like to do so to provide more information about the common area. He also requested that the Board prepare and send an email regarding common area responsibilities. Dan stated that according to his review 250 of our 367 lots abut the common area

Frank Karnauskas agreed to work with Dan on this matter.

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: Brian reported that the annual budget remains on track, total HOA assets exceed 1.01 million dollars, and that almost

all assessments for 2022 have been received. There are no past assessments in collection.

Communications Committee: Frank briefly discussed the process for sending out the requests to homeowners for approval of the loan to pave the streets.

Enforcement Committee: Donn Stoltzfus reminded those in attendance that enforcement was taken only in response to a complaint from a community member and subsequent verification by a member of the Board of Directors. He was pleased to report that there were no new enforcement complaints in the preceding month, and that all previous enforcement issues had been or were being resolved through voluntary cooperation by the homeowner.

6: MASTER ASSOCIATION REPORT Dan Weisz noted his earlier comments about common area encroachment and destruction of native vegetation.

7: OLD BUSINESS: None noted.

8: NEW BUSINESS : Michael Katz said that he had received information from Waste Management that they could bill individual homeowners if granted an exclusive right by the HOA to provide waste collection and recycling services for the entire community.

9. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

None offered.

10. ADJOURN

The meeting was adjourned at 8:11