

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

Monday, June 13, 2022 at 6:30 PM
Location: Zoom Video Conference

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:31.

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 Jaworkski 2022			x
Ron Steffens 2022	x		

2. APPROVAL OF PREVIOUS MONTH'S MINUTES

The minutes of the May 9 meeting were approved without revision.

3. PRESIDENTS COMMENTS

Douglas Hughes recognized the members of the public who were in attendance and offered the opportunity for any quick questions from the public before formal meeting began. No questions were forthcoming.

4. STREET PAVEMENT REPLACEMENT PROJECT NEWS AND STATUS

Donn Stoltzfus said that the contractor, Ke&G, declined to offer a construction contract and requested that the HOA provide a suitable contract. Therefore, a contract is being drafted for the HOA by its attorney, Jason Smith, and will be forwarded to each Board member for comment before it is sent on to the contractor for their approval.

Brian Bickel said that he has posted the loan application and supporting materials online in Portal for Board review. Frank Karnauskas asked if the interest rates had changed since the last meeting. Brian said he did not know,

but that the interest rate would be stated when the loan application is approved for the Board's acceptance.

After a brief discussion, Brian made the following motion:

"That the Board approve awarding a contract to KE&G Construction for repaving of the privately owned streets and approve obtaining a loan in the amount of \$800,000, for a term of 15 years, with financing from Alliance Association Bank."

Motion passed unanimously without further discussion. Several members expressed their thanks to Brian for compiling and posting the extensive documentation included in the loan application.

A question was raised as to when KE&G might finish the construction on Ventana Canyon Drive and Evans Mountain Road, specifically replacement of the manholes and monuments, and final cleanup. No one had an answer to that question.

5. COMMITTEE REPORTS

Landscape and Roads Committee:

Ron Steffens said he was in the process of getting a quote to fix/upgrade the entrance lights, and also in discussion with a non-profit firm, Watershed Management, to help address erosion at Campbell Wash and other areas in the community where erosion affects the streets.

Architectural Control Committee:

Donn Stoltzfus reported that the ACC has approved two recent applications:

3716 E. Guthrie Mountain Place - approved an application for a concrete pad and spa.

6805 N. Cascade Spring Place - approved an application for a small enclosed garden area outside of the rear patio.

Enforcement Committee:

Donn Stoltzfus reported the following active enforcement cases:

3500 E. Guthrie Mountain Place - a complaint was made about multiple water treatment tanks exposed in public view. A Courtesy Notice was issued. The home has been sold and the tanks are to be removed when the previous owner leaves, no later than the end of July. The new owners have been cooperative

and are aware that the future exterior improvements they have planned require ACC approval.

3553 E. Lizard Rock Place: A Courtesy Notice was issued about multiple piles of green waste along Evans Mountain Road and a commercial trailer parked at the house. The owner has responded but has not taken action to date.

3773 E. Marble Peak Place: A Notice of Violation has been issued to the owner who was observed destroying a native velvet mesquite tree that is near the property line. A survey found that the tree is within the neighboring property, 3885 E Marble Peak Place. The owner did not obtain approval from the ACC before destroying the tree. The owner is out of the country and was granted an extension until July 9 to resolve the violation.

Business Process Committee and Budget and Finance Committee:

Brian Bickel reviewed the financial balance sheet as of May 31 and noted that monies earning interest in certificates of deposit will shortly be moved to the savings account, both to meet the reserve requirements of the loan application and to make them readily available for paying the invoices for the street repaving project. Total assets as of May 31 were \$1.006 million.

Welcoming Committee

Frank Karnauskas noted that he and Dan Weisz are developing resources for new homeowners that would be updated to the community website over time. There was discussion of the pros and cons of providing a written document vs. enhancing the website, with the consensus that the website was an appropriate place for information but that a personal visit of welcome is essential. Aletha Kalish stated that the personal contact serves to promote a sense of community and inclusiveness. Frank agreed that face to face contact was needed. He also noted that new owners often immediately come into conflict with the CC&Rs due to lack of understanding as they make home improvements before or shortly after moving in, and that it may be useful to have a single page document highlighting the website, the ACC process, etc. that could be delivered at the time of the visit.

Communications Committee

Frank Karnauskas said that there will be a focus on efforts to acquire an email address for all of the homeowners, and briefly discussed the recent failure to inform everyone of the Green Waste Pickup dates and how that can be avoided in the future, through earlier notice and through email.

6. MASTER ASSOCIATION REPORT

Dan Weisz informed the Board that Pima County is making improvements to three surface sewer lines that cross the Common Area. Initial plans are to insert an internal sleeve to extend the life of these lines and information will be provided to the Board as it is obtained.

The Master Association has an agreement with Brightview Landscaping for physical removal of buffelgrass in Campbell Wash. Access will be gained off of Canyon Road north of the Common Area boundary. Additional cleanup of buffelgrass or other invasive grasses on private lots may be coordinated with the fall Green Waste Pickup event.

7. OLD BUSINESS:

Donn Stoltzfus brief the board on the new agreement between the HOA and Comcast/Xfinity to regulate future pavement cuts and excavation in the private streets. This is the first such agreement for Foothills Clusters, and requires Xfinity to maintain certain standards of work; obtain prior approval of the FCHOA for any major work such as line replacements and upgrades; establishes mutual contacts for future communication; requires prior notice for even minor repairs so that the FCHOA can observe the work for compliance with the agreement; and establishes a 3-year moratorium on pavement cuts after the streets are repaved. Following the moratorium, the FCHOA can enforce additional requirements protective of our streets through the plan review process.

After brief discussion, Brian Bickel made a motion to approve the agreement. The motion passed unanimously. The agreement will be in effect July 1, 2022.

8. NEW BUSINESS: None

9. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY.

A question came from a member of the public about whether the HOA could remove a large dead mesquite tree near her home in the Common Area. Frank Karnauskas replied that the HOA seeks to maintain the natural state of the Common Area and does not remove vegetation.

Donn Stoltzfus informed the board that new aerial photos of the community, taken in the spring of 2021, have been posted to the Pima County website ([gis.pima.gov/pictometry/.](http://gis.pima.gov/pictometry/))

10. ADJOURN: The meeting was adjourned at 7:33