

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

Monday, July 11, 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 Jaworski	2022	x		
Ron Steffens	2022			x

**2. APPROVAL OF PREVIOUS MONTH'S MINUTES**

The minutes of the June 13 meeting were approved without revision.

**3. PRESIDENTS COMMENTS**

Douglas Hughes recognized the approximately 15 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. Doug also thanked the various anonymous individuals who removed rock that had been washed out onto Evans Mt. Road by the monsoon rains.

**4. STREET PAVEMENT REPLACEMENT PROJECT NEWS AND STATUS**

Austin Wesnitzer explained that KE&G has issued an updated quote for the project, raising the estimated cost to 1.514 million. This is largely the result of an increase in per-ton asphalt pricing from \$66 to \$85 a ton.

In response to a question from Aletha Kalish about whether the HOA could still afford the project at this price, Brian Bickel said that he did not know. It would depend in part on the quoted interest rate and other loan considerations,

including the amount of reserve funds that the bank requires the HOA to maintain. After further general discussion, the topic was left to Brian to respond after presentation of final loan terms.

Michael Katz left the meeting at 7:06.

## 5. COMMITTEE REPORTS

### **Landscape and Roads Committee:**

Austin Wesnitzer said that Ron Steffens would prepare a report for the Board members at a later date.

### **Architectural Control Committee:**

Linda Jaworski presented the following report:

3856 E. Diablo Canyon Place-Site visit to discuss delineation of newly approved parking space. Homeowner amenable to request.

3580 E. Marshall Gulch Place-Change Application received for extension of fence height and addition of gates. Site visit with Master Association sign off . Application approved.

3825 E. Diablo Canyon Place-Change Application received for stairway pavers and roof re-coating. Application approved. Project complete.

3577 E. Lizard Rock Place-Change Application received for large landscape and hardscape project. Site visit with Master Association sign off . Application approved.

6805 N. Cascade Spring Place-Change Application received for 5 rainwater storage tanks with distribution system. Application denied pending submission of further data.

6763 N. Quartzite Canyon Place-Change Application for stucco application to slump- block received. Approval pending.

6407 N. Burro Creek Place-Change Application for pool and fence build received. Site visit with Master Association sign off . Application approved pending permit.

A homeowner complimented the committee on the "quick, friendly, helpful" approval process that he experienced.

## **Business Process Committee**

No report.

## **Budget and Finance Committee:**

Brian Bickel noted that total assets as of June 30 were \$1.001 million. He stated that if debt service costs increased it could result in fewer funds available for road maintenance going forward.

## **Welcoming Committee**

Dan Weisz will have a report on the new proposed procedures by the next meeting.

## **Communications Committee**

No new activities to report.

## **Enforcement Committee:**

Donn Stoltzfus stated that as always, the enforcement report is for the Board's information and opportunity to question enforcement actions, which are assumed to be accepted if no Board action is taken otherwise. He reported the following active enforcement cases:

3584 E. Gibbon Mountain Place: NOV issued concerning an HVAC unit that is not screened from the frontage street view per CC&R Concealed Activities requirements. Owner is cooperating and intends to submit a proposal to the ACC to install a screening feature.

3469 E. Nugget Canyon Place: Courtesy Notice sent regarding construction debris in the front yard. No response to date.

6714 N. Quartzite Canyon Place: Courtesy Notice sent concerning the ongoing storage of a large RV on the lot in Violation of the Vehicles and Equipment Section of the CC&Rs. Owner intends to apply to the Board for approval to keep the RV on-site, in a garage to be constructed for that purpose. Deadline of September 1 given for this submittal.

3500 E. Guthrie Mountain Road: Continued from last month, owner cited for water treatment equipment not screened from the frontage street view per CC&R Concealed Activities requirements. Equipment to be removed by July 31.

3460 E. Marshall Gulch Place: Estate sale company issued an NOV for failure to provide the required 30-day notice and a Traffic Control and Parking Plan prior to a July 9 estate sale at this address. (Further discussion withheld).

3800 E. Mt. Kimball Place: NOV sent for failure to submit an application to the ACC before painting the house. Owner has agreed to submit the application and is aware that the color may not be approved.

3553 E. Lizard Rock Place: Two NOVs sent after owner failed to comply following a Courtesy Notice. One NOV addresses piles of landscape trimmings left on the property and County ROW along Evans Mt Road. in violation of the Nuisance Section of the CC&Rs. The second violation is for the ongoing parking of a large metal enclosed commercial trailer on the property. Recommended proceeding to a Hearing Panel on the nuisance violation and establishment of a deadline of September 30 for application to continue parking the trailer on site.

3773 E. Marble Peak: Owner has agreed to settle an NOV for destruction of a native velvet mesquite tree without approval of the HOA as required per the CC&R Native Growth requirements. (Further discussion withheld).

There was discussion from the Board and the public about the applicability of the Concealed Activities requirements to AC condensers, and the Native Growth requirements. Don't address at a later date. There was also discussion about reporting certain violations, including the 3553 E. Lizard Rock case, to other applicable authorities, and the role the HOA should play when a CC&R violation becomes contentious between neighbors. .

## 6. MASTER ASSOCIATION REPORT

Dan Weisz informed the Board that the Master Association is continuing to track the plan of Pima County Wastewater to reline sewer pipe that crosses the Common Area. The buffelgrass removal project in Campbell Wash has been completed and looks good. He noted some juveniles had "camped out" overnight in Campbell Wash and built a small fire in a firepit, fortunately without causing any damage to the vegetation.

Dan also said that there is an ongoing problem with homeowners trimming or otherwise removing vegetation within the Common Area. He noted that about 2/3 of the lots abut Common Area and stressed that more education was needed so that homeowners understood the restrictions.

A homeowner asked about a theoretical situation when a tree in the Common Area overhangs a private lot, and Dan responded that in such a case trimming to directly above the property line and in line with the property line would be okay but notice should first be given to the Master Association. The tree cannot be

removed or destroyed, however. Nor can there be any trimming of the tree above the Common Area property.

7. OLD BUSINESS: None

8. NEW BUSINESS: Frank Karnauskas mentioned the election of Board Directors at the end of the year and asked that the topic of a Nominating Committee be added to the agenda for August.

9. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY:  
None

10. ADJOURN: The meeting was adjourned at 8:32.