

THE FOOTHILLS CLUSTERS HOMEOWNERS ASSOCIATION- BOARD OF DIRECTORS MEETING

Meeting Minutes

Monday, September 12 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 August 8 meeting were approved without revision.

3. PRESIDENTS COMMENTS

Douglas Hughes recognized the approximately 16 members of the public who were in attendance and offered the opportunity for any quick questions from the public before formal meeting began. None were forthcoming, and Doug thanked a few specific Board members for their efforts over the past month.

4. STREET PAVEMENT REPLACEMENT PROJECT NEWS AND STATUS

Brian Bickel announced that the loan has been approved, and that the bank is in the process of preparing the formal documents for the HOA to sign. In response to a question, he said the loan could be refinanced with Alliance Bank if interest rates decrease but that it would require payment of fees to do so.

A member of the public asked about asphalt "splatter" onto driveways, rock walls etc. Brian said it should be reported and that the contractor might fix it, or if

minor it might be up to the homeowner to remove. There was a question about how the contractor would know the footprint of the landscaped islands in the cul-de-sac, and Brian replied that they would follow the existing pavement edge, or approximate it where the edge has deteriorated. There was a question about how much notice would be given before paving begins; this will be addressed during the Notice to Proceed meeting with the contractor..

5. APPLICATION FOR STORAGE OF AN RV AT 6714 N. QUARTZITE CANYON PLACE

Donn Stoltzfus reported that a compliance action had been initiated at 6714 N. Quartzite Canyon place for storage of a recreational vehicle, a trailer, without Board approval. Enforcement was stayed while the owners developed a plan for a garage to enclose the trailer and bring it into compliance with the CC&Rs. It is first necessary for the Board to approve the storage, and after that is in place the Architectural Control Committee must approve the enclosing structure in order for the homeowner to be in compliance. The owners have requested further time to develop architectural plans and make a proposal to the ACC.

After discussion of the site-specific circumstances, the Board voted 8-0 to allow the trailer to remain on-site, unenclosed, until March 31, 2023, pending receipt of an application from the homeowners to construct a garage or other screening enclosure. There was some concern that the application not be left until the last minute, as a further deadline extension might not be granted.

6. CC&R COMPLIANCE INSPECTION PROGRAM STATEMENT OF INTENT

Donn Stoltzfus explained that the Board had received legal direction to implement a regular program of inspection of homeowners lots to verify compliance with the CC&Rs. The Enforcement Committee is in the process of drafting a policy with the goal of improving the consistency and clarity of the compliance requirements, and introduced a "statement of intent" for the Board to consider as part of that policy. After some discussion a motion to approve the following passed unanimously::

is the intent of the FCHOA to maintain a program of periodic inspections of property subject to our Covenants, Codes and Restrictions (CC&Rs) for the purpose of determining compliance. The inspection frequency shall be at least semi-annually and shall be performed or directed by a Compliance and Enforcement Committee consisting of 3-5 members appointed by the Board of Directors, a majority of whom shall be members of the Board of Directors. The Compliance and Enforcement Committee shall be responsible for carrying out the Compliance Inspection Policy and the Enforcement Policies of the FCHOA under the direction of the Board of Directors.

The Board acknowledged comments from several members of the public expressing concern and a desire to participate in the development of the draft policy. The Board committed that there would be ample opportunity for public review and participation when the policy is presented for consideration, a process that is anticipated to take place over several meetings. Donn Stoltzfus stated that he would forward the draft policy to the Board by the next meeting, after Ron Steffens of the Enforcement Committee had an opportunity to review it.

7. COMMITTEE REPORTS

a. Landscape and Roads Committee (Steffens):

- The vegetation clearing in advance of the milling/repaving project is largely complete, thanks to the work of Brightview Landscaping and oversight by Dan Weisz. The entrances were also cleared as part of this project.
- The fall vegetation/green waste pickup is planned for early November, depending in part on the timing of the completion of the paving project to avoid doing both at the same time.
- Monsoon rains have increased the amount of roadside invasive grasses, which are a potential fire hazard, unlike native grasses. As a result, the Landscape Committee proposed that we add buffelgrass/fountain grass removal to the green waste pickup.
- The Landscape Committee is also discussing a shift to a single annual cleanup to be held each fall. This will support cleanup after the monsoons and avoid encouraging pruning during the spring nesting season.

b. Architectural Control Committee (Jaworski)

Architectural Change Applications

3480 East Marshall Gulch Place - application for a rooftop solar panel installation approved.

3800 East Mount Kimball Place - Application for a block wall extension approved. Application for a change in paint color for the exterior received in response to an NOV issued for an unapproved exterior paint color change. Application approved.

3856 East Diablo Canyon Place - application for a solar panel installation over a backyard pergola received and under review.

3584 East Gibbon Mountain Place - application for an equipment screen wall received and approved.

3521 East Nugget Canyon Place - Application for new house paint, roof coating and backyard pool and deck repair/maintenance approved.
Miscellaneous

3723 East Guthrie Mountain - Homeowner request for short term POD placement and roll-off container in driveway approved.

3732 East Guthrie Mountain Place - ACC notified by the homeowner of a pending saguaro removal due to location and hazardous lean toward the house. Alternatives were determined to be impractical and removal was approved.

3768 East Marble Peak Place - Homeowner provided a courtesy notification of a paver and turf installation project in their backyard.

6412 North Burro Creek - Permission granted for driveway parking of an RV for facility use while repairs are made to the house plumbing system.

c. Business Process Committee - no report

d. Budget and Finance Committee (Bickel)

Brian presented a budget update showing net assets of \$997,000. Assets have been moved from certificate to short-term accounts in anticipation of funding the street repaving project.

e. Nominating Committee (Jaworski)

The committee continues to seek nominees for the Board of Directors election. Nominees must meet the qualifying criteria stated in the CC&rs.

f. Welcoming Committee - (Weisz)

No new contacts in the past month.

g. Communications Committee - no report.

h. Enforcement Committee - report not presented in the interest of time.

8. MASTER ASSOCIATION REPORT (Weisz)

No new information to report.

9. OLD BUSINESS - none reported.

10. NEW BUSINESS - none reported.

11. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

Aletha Kalish that she and David would be hosting a fall cookout on September 24 at 2 PM at 3560 East Marshall Gulch Place. Hot dogs and sodas provided, please notify Aletha in advance if you plan to attend.

At 8:12, Donn Stoltzfus moved that the Board adjourn to Executive Session in accordance with A.R.S. Section 33-1804(A)(5), Discussion of a members appeal of violation or penalty. The motion was seconded and approved.

At 8:34 the meeting resumed. In response to a motion by Donn Stoltzfus, seconded by Linda Jaworski, the Board voted unanimously to assess a fine of \$50.00 against 3553 E. Lizard Rock Place for landscape trimmings piles that have been left on the property since May 2022.

12. ADJOURN

The meeting was adjourned at 8:36.