

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

Meeting Minutes

Monday, January 9 at 6:30 PM
Location: Zoom Video Conference

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:33

Board Member/Term Expiration	Present	Absent	Proxy
Aletha Kalish 2023	x		
Michael Katz 2023	x		
Donn Stoltzfus 2023	x		
Brian Bickel 2024	x		
Greg Piriano 2024	x		
Austin Wesnitzer 2024	x		
Ron Steffens 2025	x		
Vacant 2025			
Vacant 2025			

2. APPROVAL OF PREVIOUS MONTH'S MINUTES

The minutes of the December 12, 2022 meeting were approved without revision.

3. PRESIDENTS COMMENTS

Aletha Kalish thanked Ron Steffens for placing signboards at the entrance to the community announcing the Green Waste pickup. Ron said that Frank Karnauskas and Irene Barg should be thanked for coordinating and placing the signs.

4. ADOPTION OF THE 2023 BUDGET

Brian Bickel briefly reviewed the components of the annual budget, which was then approved unanimously.

5. STREET PAVEMENT REPLACEMENT (Roads Committee Report)

Austin Wesnitzer reported that the subcontractor was in the latter stages of replacing the utility covers and survey monuments. He is awaiting a final billing,

which should be very close to the budgeted amount, but slightly over based on actual quantities. All testing has been satisfactory and the contractor will be responding to the punch list that Austin compiled of items to be corrected. Final payment will occur after all corrections are satisfactorily completed. Members of the Board and the audience noted a few specific items that they were aware of that needed correction and Austin briefly discussed those.

Larry Holmes suggested having the Landscape Committee address potential future areas of edge pavement erosion and providing funding to do so. Concerns about Campbell Wash erosion and the effect of waste haulers on the long-term stability of the roads were voiced by others.

6. COMMITTEE REPORTS

a. Budget and Finance: Brian Bickel reviewed the monthly Balance Sheet Comparison report, noting a balance of approximately \$841,000 with more than half of that allocated to the final billing for the paving project. He reminded the Board that assessments will be paid in January and that monthly loan payments are ongoing.

b. Architectural Control: Greg Piriano presented the monthly report (attached at the end of the minutes) that included three new applications received last month and four additional homeowner contacts. Greg also described his communication with staff at Pima County Development Services that clarified that while that department encourages homeowners to obtain approval from their HOA before submitting an application, County staff do not track or verify HOA rules, approvals or procedures when issuing a construction permit. Two homeowners spoke with concerns about how the ACC Guidelines were developed, made available to homeowners, and suggested the guidelines be sent to all homeowners by email.

c. Landscape Committee: Ron Steffens noted that power was being restored to the lights at the Skyline entrance this week, and that some additional work might be necessary at the Alvernon entrance. He briefly described the procedures for the Green Waste pickup later in the month and thanked Dan Weisz for his assistance in identifying areas of invasive grasses at 35 lots for the landscapers to remove. Ron also acknowledged the previous discussion about erosion along the roads and washes as said that the Committee would address that topic later this year.

d. Enforcement Committee: Donn Stoltzfus presented the monthly report (attached at the end of the minutes) noting that walk-by compliance assessments had been completed for the entire west side of the community. Twelve courtesy notices have been sent in December and most items have been or are in the process of being corrected, which reflects well on our homeowners. He briefly reviewed six earlier cases that are in progress.

Donn also provided the Board with a proposed schedule and process for completion of the Draft Compliance Inspection Policy, which envisions three additional drafts for comment and a Working Session of the Board to resolve any disputed issues, followed by a vote on the Policy in June. He emphasized that the schedule was subject to change and asked for comment.

Two homeowners voiced concerns about the content and process, including suggesting greater efforts to make the community aware of the draft policy and questioning the applicability of certain enforcement guidelines. In response to a question, Brian Bickel described how new homeowners are alerted to the existence of the HOA and its policies at the time of purchase.

The Board did not recommend any changes to the proposed schedule. Donn emphasized that he would respond to any specific comments received from the public and identify that response in future drafts of the policy. He also stated his opinion that the all aspects of the policy are based on and supported by the requirements of the CC&Rs.

e. Communications Committee: No report.

f. Welcoming Committee: Dan Weisz noted that he met with one new homeowner last month.

7. MASTER ASSOCIATION REPORT

Dan Weisz said that the January Association Meeting has been postponed. He said he was working with the realtor and seller of a currently listed property to hopefully resolve an issue of encroachment into the Common Area.

8. OLD BUSINESS - None discussed.

9. NEW BUSINESS: None discussed.

10. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

A homeowner asked about the rules or expectations for appropriate participation in Board meetings, noting that there seemed to be inconsistencies in when input was solicited. Aletha responded that participation is desired, but sometimes has to be limited depending on the time available. Brian Bickel pointed out that there are statutory requirements on public participation that could come into play.

Summarizing the discussion, it was pointed out that the best way to get a thoughtful, detailed response to a question is to use the Contact@foothillsclusters.com address, as off-the-cuff responses during a Board meeting may be incomplete or even inaccurate. Generally monthly Board meetings are intended to allow the Board to conduct business and are not set up to facilitate detailed homeowner interaction.

11: ADJOURN: The meeting was adjourned at 7:52

January 2023 Architectural Control Committee Report V2

Prepared by: Greg Piraino, FCHOA ACC (480) 234-4040 1/9/2023
ACC Members 2023: Donn Stoltzfus, David Kalish

A: New Applications Received and Approved or Disapproved

3584 E Gibbon Mtn: Appl. to replace rear block wall with ironwork. Approved.

3881 E Marble Peak: Appl. to install fence. Missing site map and missing signatures. Disapproved. Homeowner acknowledged and will gather items.

3801 E Diablo Cyn: Appl. to enclose carport and construct new storage in side setback. Disapproved. Contactor has acknowledged disapproval today. Is obtaining a survey.

B: Previous Applications with Open or Ongoing Aspects

6400 North Burro Creek-Application for carport to garage conversion previously approved. Application for paint change to be submitted separately. No January activity or paint applications received. Will outreach in Jan.

3560 E Marshal Gulch: Appl. for driveway resurface. Approved. Open

3830 E Diablo Cyn: Appl. for house re-paint to non-white low LRV. Approved. Open

3809 E Mount Kimball: Appl. for shed addition. Approved. Open

3800 E Kimball: Appl. for house re-paint to non-white low LRV. Approved. Open

C. Projects Completed Observed and Closed:

3500 E Nugget Cyn: Solar Pergola. Closed

3743 E Marshal Gulch: Tan roof recoat. Closed.

D: Contact Made and Significant Discussions:

3773 E Marble Peak: Home Demo/Reconstruct: Discussion, emails and questions for ACC discussion/reply in Jan. No application yet.

6714 N Quartzite: Provided Donn with draft design of very large RV enclosure encroaching on side setback. Sent introduction email. No reply or application yet.

3681 E Esperero Cyn: RV on side of house. Definition of "Enclosed" for ACC discussion/reply in Jan. "Request" letter submitted. No application yet.

3748 E Gibbon Mtn: Enclosing small tank with fence discussion. No application yet.

1/6/23: Discussion with Pima County Development Services: PC does not track HOA ACC rules as they have dozens of HOA ACCs within PC. They recommend homeowners obtain ACC approval prior to PC submission. PC will not police applicants to assure that HOA ACC has approved and will grant permits on PC codes alone. Up to HOA ACC's to monitor properties and defend CC&R Guidelines.

January 2023 Compliance and Enforcement Committee Report

Assessments have been completed for approximately half of the neighborhood, including the entire west side up to and including Diablo Canyon.Place.

B. New Cases

Courtesy Notices have been sent to twelve homeowners regarding yard cleanup, trailer storage, debris piles, etc. To date six homeowners have resolved their issue and three others have contacted me and are in the process of removing the concern. The Committee appreciates the prompt and proactive responses of our property owners.

C. Cases in Progress

1. 3553 E. Lizard Rock Place: The commercial trailer remains on site and a Third Notice has been sent assessing a fine of \$100. If the trailer is not removed, the attorney for the HOA will be contacted about the possibility of taking further action.

2. 3675 E. Esperero Canyon: Rooftop antenna exceeds CC&R requirements. Owner was unable to maintain service with a compliant antenna and qualifies for a non-compliant use designation. Proposed designation of non-compliant use, unless the Board objects.

3. 6419 N. Burro Creek: Native tree replacement to be done concurrent with 2023 landscaping.

4. 3773 E. Marble Peak Place: Three new trees to be planted this spring to replace a native tree that was removed.

5. 6714 N. Quarzite Canyon Place: Awaiting application to the ACC for an enclosure to be constructed to conceal an RV. The RV is allowed to remain on-site in view until March 31, 2023 per Board Action.

6. 3681 E. Esperero Canyon: Owner has submitted an application to the Board for approval to store an RV in an enclosed area on their property.

D. Closed Cases

None this month.