

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

Meeting Minutes

Monday, March 13, 2023 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
Aletha Kalish 2023	x		
Michael Katz 2023	x		
Donn Stoltzfus 2023	x		
Brian Bickel 2024	x		
Greg Piraino 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 February 13 , 2023 meeting were approved without revision.

3. PRESIDENTS COMMENTS

Aletha Kalish welcomed the homeowners attending the meeting and thanked Irene Barg for placing the meeting announcement signs at the entrances to the community every month and well in advance of the meeting.

4. STREET PAVEMENT REPLACEMENT (Roads Committee Report)

Austin Wesnitzer reported that he is still awaiting the final Quality Control report and has directed the contractor to remove the few remaining signs and barricades from the community. In answer to a question, he noted that some patching and edging was needed at a few of the cul-de-sac turns and that would be done in the future, in warmer weather..

5. DISCUSSION OF WHITE/NEAR WHITE ROOF ENFORCEMENT

Donn Stoltzfus reminded the Board that the CC&Rs prohibit "white or near-white" roof coatings and said that the draft Compliance Inspection Policy is written to

attempt to maintain a consistent approach to enforcement of that requirement. He reviewed an enforcement effort in 2016-2017, in which 18 homeowners were notified that they were in violation and must recoat their roof. Some complied, others appealed to the Board on the basis of cost, and in the spring of 2017 the Board notified the homeowners that they could wait until the next needed roof repair or recoating to come into compliance. Stoltzfus said it appeared that at least two of those homes have subsequently recoated their roof with a non-compliant white coating.

The Compliance and Enforcement Committee recommends that future enforcement be directed only at those homes where the white roof is visible at street level, i.e not when the roof is surrounded by a parapet or visible from a high elevation; that a standard reference color, Casa Blanca, be designated as the lightest permissible color for judging compliance, and that owners be given up to 1 year to comply after receiving an enforcement notice.

Greg Piriano stated that the Architectural Control Committee had developed a color standard for new roof coatings that applies to all roofs, whether visible at street level or not, and thought that introducing the variable of whether or not a roof was sufficiently visible to be enforced against would be unduly confusing and inconsistent with the ACC. There was a brief discussion and no objection to this point; Donn said he would revise the draft Policy accordingly. There was also no objection to the one year compliance requirement. Greg said he had some concerns about the use of the color "Casa Blanca" and would discuss them later. Donn said that enforcement would not begin until the Board approved the full Compliance Inspection Policy that contains these changes.

A homeowner (Sean Oden) noted that there were many violations of the CC&Rs in the neighborhood and asked if the HOA was essentially not going to look back but be proactive in addressing future violations. After brief discussion, Donn Stoltzfus said that was essentially true, noting that many past inconsistencies in construction standards cannot be revisited under the CC&Rs.

6. COMMITTEE REPORTS

a. Brian Bickel gave the Budget and Finance Committee Report. The Balance Sheet Comparison Report shows assets of approximately \$921k with liabilities, including the unpaid balance of the loan, of approximately \$725k, with final billing for the road project still pending. Accounts receivable, including assessments still due, total \$17k., and the HOA checking account balance was \$241k. Brian added that he was working with the bank on a minor issue involving assessment transactions and crediting.

b. Greg Piraino presented the Architectural Control Committee Report, which is attached at the end of the minutes. Two new applications were received last month; ten applications or projects are ongoing, and two projects were observed and found to be completed. Greg noted that he was involved in ongoing discussions with three homeowners who are planning significant construction work and need assistance in applying the ACC standards to their project.

New language addressing the sequence of a Pima County permit has been added to the application, and a list of Frequently Asked Questions has been uploaded to the website.

c. There was no Landscape Committee Report.

d. Donn Stoltzfus presented the Compliance and Enforcement Committee Report. There were no new assessments or notices sent last month. He said that compliance assessments of the homes on the east side of the community would be done later this month. Currently there are eight open compliance cases, several of which are being addressed by the homeowner, and he expects 3-4 to be completed and in compliance by the next Board meeting. Donn said he had requested information from the attorney regarding one case, and expects to have that for review by the Board any day now. A third draft of the Draft Compliance Inspection Policy will be posted to the website later this week.

e. Frank Karnauskas presented the Communications Committee report and said that new security measures had been applied to the Board email system, resulting in some issues attempting to send email, particularly to gmail.com addresses. He said first try to resend the email, and to let Frank know if problems persist.

f. Dan Weisz presented the Welcoming Report with two new sales occurring last month, and said that he had also just received a request for information from a title company that he would respond to.

7. MASTER ASSOCIATION REPORT

Dan Weisz said that the annual meeting of the Master Association would be held tomorrow afternoon via Zoom, with the next quarterly meeting to be held in April.

8. OLD BUSINESS - None discussed.

9. NEW BUSINESS: None discussed.

10. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

Frank Karnauskas pointed out that it takes significant time and effort to administer the Architectural Control and CC&R Enforcement functions of the HOA and complimented Greg Piriano and Donn Stoltzfus for their leadership of each committee. A homeowner complimented Dan Weisz for his assistance and leadership with the invasive grass removal efforts.

11: ADJOURN: The meeting was adjourned at 7:20

March 2023 Architectural Control Committee Report

Prepared by: Greg Piraino, FCHOA ACC (480) 234-4040

ACC Members 2023: Donn Stoltzfus, David Kalish

Significant Activities:

ACC Major Work Application to streamline and clarify uploaded to website.
FAQ to reply to several questions received from homeowners contemplating major work uploaded to website.

A: TWO New Applications Received and Approved or Disapproved

3681 E Esperero Cyn RV on side of house. Board discussed and accepted side location with higher opaque gate. Appl. Under review and discussion.

3561 E Nugget Cyn Fence appl. submitted. Under review and discussion.

B: TEN Previous Applications with Open or Ongoing Aspects

3748 E Gibbon Mtn Enclosing small tank with fence. Appl. submitted and approved. Open

3584 E Gibbon Mtn Construction of storage building. Appl. submitted and approved. Open

3490 E. Marshall Gulch Painting home. Appl. submitted and approved. Open

3881 E Marble Peak Appl. to install fence. Missing site map and missing signatures. Disapproved. Homeowner acknowledged and will gather items. No activity so far.

6400 North Burro Creek Appl. for carport to garage conversion previously approved. Appl. for paint change to be submitted separately. No activity or paint applications received lately. Open

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

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

C. TWO Projects Completed Observed and Closed:

3800 E. Mt Kimball Window replacement. Closed

3856 E Diablo Cyn Repaint completed. Closed

D: Contact Made and/or Significant Discussions and/or Progress:

3773 E Marble Peak Home Demo/Reconstruct: Major Work form updated and FAQ question responses completed, uploaded to website, and emailed to homeowner. No appl. yet.

6714 N Quartzite Preliminary review of project to install large RV enclosure completed and response from ACC emailed to homeowner. No appl. yet.

3801 E Diablo Cyn Appl. to enclose carport and construct new storage in side setback. Disapproved in January due to proposed new sf construction in a side setback. No objection to enclosure of garage in setback. Survey performed and staked. ACC Chair observed. Initially homeowner indicated she would revise plan by shortening storage room by approximately 3' though she requested reconsideration on various grounds. ACC discussion completed Reply emailed to homeowner confirming 10' setback. Homeowner reviewing published ACC reports No re appl. yet.

End of Report 3 /13/2023