

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

**MEETING MINUTES**

**July 9, 2024**

**Zoom Meeting**

**1. CALL TO ORDER / ROLL CALL**

The meeting was called to order at 6:30 PM

Board Member/Term Expiration	Present	Absent	Proxy
Brian Bickel 2024	x		
Greg Piraino 2024	x		
Austin Wesnitzer 2024		x	
Ron Steffens 2025	x		
Angelia Sellers 2025	x		
Vacant 2025			
Gigi Bainbridge 2026	x		
Aletha Kalish 2026	x		
Donn Stoltzfus 2026	x		

**2. PRESIDENTS COMMENTS:**

President Kalish welcomed the Directors and members of the public.

**3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS**

The minutes of the June 2024 meeting were approved without revision.

**4. POTENTIAL ACTION TO APPOINT A NOMINATING COMMITTEE TO RECRUIT AND NOMINATE CANDIDATES FOR THE FALL 2024 ELECTION OF DIRECTORS AND ELECTION OF A REPRESENTATIVE TO THE MASTER ASSOCIATION**

By unanimous consent the Board approved a Nominating Committee comprised of Gigi Bainbridge (Chair), Terry Brown, and Madeline King to recruit and recommend a slate of candidates, reporting to the Board by the October meeting.

**5. POTENTIAL ACTION CONCERNING AN APPLICATION TO STORE A COMMERCIAL TRAILER AT 6412 N BURRO CREEK**

Donn Stoltzfus introduced the application for discussion by the Board. The homeowner was present and able to address the Board. The trailer is presently on site but enforcement was stayed pending the application. After discussion, the Board determined that the application was deficient in that it did not meet the requirement to

"completely enclose" the trailer from public view as there is only vegetation along the west side of the lot where the trailer is parked.

There was considerable discussion about what would options might constitute complete enclosure (currently defined only as "opaque" by the Compliance Assessment Guidelines), and whether the Board should seek legal assistance to clarify the term. The Board moved to table the discussion pending further information from the homeowner concerning a screening structure. The homeowner said that she would consult with her neighbor about a mutually agreeable screening structure.

## **7. COMMITTEE REPORTS**

### **a) Budget and Finance Committee**

Brian said that the IRS payment has been made and he is still awaiting a final determination from the IRS that the matter is closed. He reminded the Board that he will be unavailable in September and asked that Aletha Kalish respond to any real estate transfer demand letters that come in during that period. Gigi Bainbridge noted that in her conversations with homeowners about the possibility of raising annual assessment fees to adequately fund the maintenance and future repaving of the streets she has found homeowners to be generally supportive of a reasonable increase.

### **b) Architectural Control Committee**

Greg Piraino reviewed the report which is attached to the end of these minutes. He reported that he would be stepping down as chair of the ACC and suggested that the Board approve Gigi Bainbridge to that position. Greg will remain as a member of the committee, along with Gigi, Donn Stoltzfus and David Kalish. Jonathan Weinberg intends to assist the committee with minor changes to the applications to make them more suited to electronic completion and submittal. Gigi will be working on a process to expedite closure of open applications.

### **c) Communications Committee**

Larry Holmes said there was nothing new to report.

### **d) Compliance and Enforcement Committee**

Donn Stoltzfus reviewed the report which is attached at the end of these minutes. He noted that legal action is ongoing in one case, and there was a brief discussion about legal measures of enforcement and the rationale for doing so.

### **e) Landscape Committee**

Ron Steffens discussed the possible stormwater improvements along Ventana Canyon and suggested that the committee would direct Brightview to proceed with their proposal

if a proposal from KE&G for various measures inclusive of the stormwater improvements was not forthcoming in the next couple of weeks. There was a brief discussion of enhanced stormwater retention measures that could possibly be implemented in the future within the Common Area, perhaps similar to measures that were taken the washes prior to development of the Foothills Clusters.

f) Road Maintenance Committee

In the absence of the chair, there was no report.

g) Welcoming Committee

Dan Weisz said that one welcoming letter was sent out in the past month, and that the letter had been revised to now include mention of the County requirements for discharge of pool water. There was discussion that the new residents of 3854 E. Marble Peak had not received a welcoming letter, and Dan said he would follow up with them.

## **7. MASTER ASSOCIATION REPORT**

Dan Weisz reported that the Master Association held their quarterly meeting earlier today, and would be reviewing a proposal from Brightview to conduct additional invasive grass removal in Campbell Wash, within the Common Area.

## **7. OLD BUSINESS**

a. Discussion of future annual assessments : No action taken.

b. Discussion of enforcement options for homeowners with white roofs who have not responded to the previous Courtesy Notice: Donn Stoltzfus noted that of the sixteen homeowners who received notice, five have not yet responded. After brief discussion, it was informally decided to send polite reminder letters to those homeowners before taking any further enforcement action.

## **8. NEW BUSINESS**

None.

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

None

**10. ADJOURN.** The meeting was adjourned at 7.57 PM..

## **July 2024 Architectural Control Committee Report**

Prepared by: Greg Piraino, FCHOA ACC (480) 234-4040 7/9/2024  
ACC Members 2024: Donn Stoltzfus, David Kalish

### **A: (6) Applications Received (4) Approved (2) Under Review**

3787 Guthrie Application to modify carport back to being a carport (was modified to be interior space) – under consideration  
3871 Marshal Gulch Application for addition to home – very complete application – only missing one neighbor signature – under consideration  
3505 Guthrie Application to install Pergola - Approved  
3818 Lizard Rock Application to install shed – Approved 3809 Lizard Rock Application to modify driveway – Approved  
3800 Mt Kimbal Application for roofing - Approved

### **B. Previous Applications Closed: Approximately 50 approved applications remain open.**

Gigi Bainbridge will begin contacting these homeowners and scheduling observations of the completed projects.

### **C. Good News**

Gigi Bainbridge has joined the ACC. Welcome GIGI! I am nominating her to take over as Chair. I will return to Committee Member status. Jonathan Weinberg has volunteered to assist the ACC with creation of streamlined project application forms.

### **D. Future Activities**

- Create new streamlined application forms for improvements that are easier to follow, enter data into, and review more quickly (JW)
  - Create list of information for homeowners to put on plans to accompany applications. Make this list very easy to follow. (TBD)
  - Provide expanded list of pre-approved locally available high-performance tan roof coatings. Provide descriptions of alternate high performance tan roof coatings. Provide explanation on roof coating performance and how and why tan roofs can meet or exceed white roof performance. (TBD)
  - Provide updated FAQ pages for multiple subjects that keep coming up as applicant questions. (TBD)
  - Consider and discuss potential future updates to CC&R's. TBD

End of Report

**July 2024 Compliance and Enforcement Committee Report  
(covering the period 6/1-6/30/24)**

**A. Compliance Assessments:**

No compliance assessments were done.

**B. Courtesy Notices:**

3570 E. Guthrie Mt. RV stored in the driveway.

3553 E. Lizard Rock Failure to obtain ACC approval for modifications to the height of the rear block wall and a change in the location of the gate.

**C. New Enforcement Cases:**

6840 N. McFall Crags Place. Nuisance storage of debris and materials in public view.

**D. Enforcement Cases in Progress**

3736 E. Lizard Rock . Boat trailer in side yard. The case has been referred to our attorneys for enforcement.

6719 N. Cascade Spring Place. Recreational trailer on site. Enforcement proceeding with the understanding that fines will be waived if the trailer is removed by September 1.

**E. Closed Enforcement Cases**

None.

**F. Outstanding Fine Balances**

3553 E. Lizard Rock - \$180.

3736 E. Lizard Rock - \$180

**F. Other Notes**

None