

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

MEETING MINUTES

December 9 , 2025 6:30 PM

Location: Online via Zoom

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 6:30 PM.

Board Member/Term Expiration	Present	Absent	Proxy
Gigi Bainbridge 2026	x		
Aletha Kalish 2026	x		
Donn Stoltzfus 2026	x		
Brian Bickel 2027	x		
Greg Piraino 2027			x
Marty Lueking 2027	x		
Timothy Graham 2028	x		
Jim Mackie 2028	x		
Ron Steffens 2028	x		

2. PRESIDENTS COMMENTS

Aletha Kalish welcomed everyone to the meeting and noted that due to the long agenda some items might be tabled until a future meeting.

.3. REVIEW OF THE MINUTES OF THE PREVIOUS MEETING

The minutes of the November 2025 meeting were accepted with one revision.

4. DISCUSSION OF GOALS AND OBJECTIVES FOR 2025

A motion to table this item passed unanimously.

5. DISCUSSION AND POSSIBLE ESTABLISMENT OF COMMITTEES.

In view of ongoing ACC-related litigation, the Board appointed a Litigation Committee to coordinate with the attorney, review financial impacts and make budgetary recommendations, and report to the entire Board on all matters concerning the litigation. The chair of the committee will be determined by the members of the Board, who are Gigi Bainbridge, Jim Mackie, and Donn Stoltzfus.

Enforcement Committee: Donn Stoltzfus (chair), Jim Mackie, Ron Steffens

Landscape Committee: Jerry Milewski, Ron Steffens, Dan Weisz

Roads Committee: Ron Steffens, Angie Sellers, possible John Bonner.

Budget and Finance Committee: Brian Bickel, Tim Graham.

Welcoming Committee: Dan Weisz.

All of the committees were informally established, with the exception of the Litigation Committee which was established by unanimous consent with three volunteer members. The ACC committee was appointed at the November 2025 meeting.

6. BUDGET AND FINANCE COMMITTEE REPORT (Bickel)

Brian Bickel noted that the monthly financial reports are available in Caliber Portal, with little change from the previous month. The major expenditure for 2025 was approximately \$62,000 to seal the roads.

Brian distributed a draft budget for review by the Board and possible action in January. It assumes a surplus of \$2500 for the year, no new categories of expenditure, and a small increase in legal costs. Brian acknowledged that some discretionary items could be postponed if legal costs are projected to exceed the current estimate.

Brian proposed that the Board approve an increase in the annual assessment of 5% from the previous year, to \$345 for the Foothills Clusters and \$22 for the Master Association for a total of \$367. The motion passed unanimously by acclamation.

Brian made a motion to increase the fee for late payment of the annual assessment to \$35, as allowed by state law, for 2026. He noted that the late fee would need to be approved annually, with the annual assessment. The motion passed unanimously by acclamation.

7. COMMITTEE REPORTS

a. Architectural Control Committee:

Gigi stated that the case of 3553 East Lizard Rock had been satisfactorily resolved. There are two current cases of concern; one is the HVAC units placed on the roof of a home without ACC approval, and the other is an EV charger installed in a front yard also without ACC approval. Full report appears at the end of the minutes.

b. Communications Committee: No report.

c. Compliance and Enforcement Committee

Donn Stoltzfus stated that although a couple of Courtesy Notices were sent in the previous month, he believed those issues would soon be resolved. He notified the Board that a Notice of Violation was sent regarding the HVAC units that Gigi previously

mentioned, at 3871 E.Marshall Gulch. The units have been in place for several months; they are not visible from the public street, but were reported by a neighbor from whose property the units are visible. They are also visible from the Common Area. Rooftop units are specifically prohibited by the CC&Rs. Donn said the homeowner has been cooperative, has acknowledged their awareness of the prohibition after the fact, and have made a proposal to the Board to screen the units from view while leaving them on the rooftop. Donn said he would forward the owners proposal to the Board for consideration at a future date. Gigi added that she was sympathetic to the owner's plight, because the costs to remove the units are not insignificant, but that it was important to uphold the requirements of the CC&Rs. Donn said the hearing on the Notice of Violation would probably be held following the February Board meeting.

Full report appears at the end of the minutes.

d. Roads Committee

Ron Steffens said that there was no report but the committee would reconvene in January. Aletha Kalish mentioned, and Brian Bickel confirmed, that a car damaged one a wall at the intersection of Skyline Drive and Alvernon Way.

e. Landscape Committee

Ron Steffens noted that the annual report of the Landscape Committee has been posted on the website. A proposal for the annual Green Waste pickup, to be held in March, has been circulated to the Board for future action. The costs are estimated at \$6700-7700. Ron expressed support for the continuation of this service.

On the topic of buffelgrass, Dan Weisz said that he requested that Pima County crews spray herbicide on emerging buffelgrass growth at three locations, and within a week two of the three areas were treated by the County. He has put in a second request for a different location, and expressed appreciation to the County for this timely response, and to Ron for an afternoon of buffelgrass removal by his own hands at another location.

f. Welcoming Committee.

Dan said that one home closed in the past month and he sent a welcoming letter to that new homeowner. He also noted that he has modified the letter recently to stress that homeowners are responsible for the compliance of their tenants to the CC&Rs.

Dan noted the regrowth of invasive grasses this fall. He is pleased to report that Pima County appears willing to assist with efforts to remove these grasses. He added that the Foothills II community, north of the Clusters, recently voted to use a landscape contractor to remove invasive grasses in a section of the wash in their community.

8. MASTER ASSOCIATION REPORT

Dan Weisz reported that he has recently spoken with representative of the Foothills II HOA, who wish to begin their own buffelgrass removal efforts in their community north of the Clusters and the large Common Area.

9. TOPICS FOR FUTURE CONSIDERATION

Donn Stoltzfus noted that the ACC-related litigation would be discussed next month.

10. COMMENTS AND INFORMATION FOR THE GOOD OF THE COMMUNITY

John Bonner commented about the EV charger in the front yard. He noted this was new and needed technology and worthy of future consideration as to the FCHOA requirements and questioned what the County code requirements might be. Donn Stoltzfus noted that the installation was presently being viewed as "equipment" that would be allowed but was subject to the screening requirements stated in the CC&Rs for such types of installations. Gigi Bainbridge stated that she was working with the homeowner to get screening in place.

11. UPDATE ON PENDING LITIGATION

Tabled until a future meeting.

Donn Stoltzfus noted that as there was no further public business the meeting would be closed to allow the Board to hear an appeal by a homeowner of the denial of an application to the ACC, after which the Board would immediately adjourn.

12. ADJOURN The meeting was adjourned at approximately 7:40 PM.

ARCHITECTURAL CONTROL COMMITTEE REPORT 11 NOVEMBER 2025 thru 08 DECEMBER 2025

A. (4) APPLICATIONS RECEIVED - NEW

(4) APPROVED

(0) UNDER REVIEW

(0) DENIED

(12) PENDING CONSTRUCTION/UNDER CONSTRUCTION

(2) PENDING BOARD REVIEW/LEGAL ACTION (

7) CLOSED

(0) INQUIRIES

3565 E Marshal Gulch_Gate Replacment_Jarvis_APPROVED

3800 E Mount Kimball Place_Landscaping, Wall, patio_Zelinski-Cray_NO APPLICATION

6835 N McFall Crags Place_Fence install_Acree_Application DENIED/APPEAL

3553 E Lizard Rock_Unapproved changes exterior & landscape_Hunter Trust_APPROVED

3535 E Guthrie Mtn_EV charger installed at street_Fletcher_INQUIRY/NO APPLICATION

3827 E Marble Peak Place_Exterior Fence_RESUBMITTAL_Painter_APPROVED

3773 E Marble Peak Place_Wood Screen at Electrical Panel_Gobar_APPROVED

3773 E Marble Peak Place_Tile at Exterior Showers Submittal_Gobar_APPROVED

3818 E Marble Peak Place_Replace Front Door_Bainbridge_APPROVED

3763 N Quartzite Canyon Place_Solar installation_Marsh_APPROVED

3809 E Lizard Rock_Room Addition_Wiens/Wall_APPROVED

6419 N Burro Creek Place_Ext Paint Application_LaFreniere_APPROVED

3532 E Nugget Canyon Place_Block screen wall_Morris_APPROVED

3764 E Nugget Canyon Pavers_Driveway Paver Install_Terian_APPROVED

3555 E Guthrie Mountain Place_New Shed_Negovian_UNDER REVIEW

3532 E Nugget Canyon Place_Solar-Panel-Installation-on-Existing-Roof_Morris_APPROVED

3553 E Lizard Rock_Resurface Driveway_Ross Hunter Trust_APPROVED

3621 E Kingler Spring Place_Pool Install_Lopez_APPROVED w CONDITIONS

3565 E Thimble Peak Place_Solar Panel Install_Horvath/Barnett_APPROVED

3818 E Lizard Rock Place_Removal Front porch_Nordell/Valone_APPROVED

3818 E Lizard Rock Place_exterior trim paint_Nordell/Valone_APPROVED

3560 E Thimble Peak Place_Solar panel installation_Booth_APPROVED

3731 E Lizard Rock Place_Garage conversion & Flag Install_INQUIRY

3845 E Lizard Rock Place_Solar Panel Install_Rivers_APPROVED

3583 E Lizard Rock_Solar Panel Install_Gordon_APPROVED

3732 E Guthrie Mountain Place_Trailer Enclosure_Bickel_APPROVED

3712 E Lizard Rock Place_Initial inquiry for exterior paint_Brennan_INQU_INQUIRY

6532 N Burro Creek Place_Exterior Paint_Roofing_Genzano_APPROVED

3580 E Nugget Canyon Place_Roof Recoat_Speece_APPROVED

3487 E Nugget Canyon Place-Solar Panel Install_O'Connor_APPROVED

3505 E Guthrie Mountain Place - Solar Panels Install_Aden_APPROVED
3642 E Kingler Spring Place_Solar Panel Install_Moreno Campoy_APPROVED
6851 N Quartzite Canyon Place_Solar Panel Install_McKenna-Reiners_APPROVED
3871 E Marshal Gulch- Addition_Fricke_APPROVED
6412 N Burro Creek_Trailer Enclosure_Lori Gray_PENDING BOARD REVIEW
3590 E Gibbon Mountain – Travel Trailer Enclosure_Saxe_PENDING BOARD REVIEW
3773 E Marble Peak_New application Roof Deck/Roof Coating_Gobar_DENIED
3773 E Marble Peak Place_Review exterior trim; roofing materials_Gobar_APPROVED
3773 E Marble Peak_New application for Flat Roof Coating_Gobar APPROVED
3773 E Marble Peak_Location_Electric Panel_Gobar PENDING LEGAL REVIEW 3773
E Marble Peak_Exterior Materials inquiry_Gobar NOT IN RECEIPT OF MATERIAL
3773 E Marble Peak_Application for parking pad_Gobar APPROVED
3773 E Marble Peak_Application for Full Garage_Gobar DISAPPROVED_TRO remains
In effect for Full Garage

B. APPLICATIONS CONSTRUCTED, PENDING OBSERVATION:

3773 E Marble Peak Place Exterior Lighting Material Submittal_Gobar_PENDING OBS
3856 E Diablo Canyon Place_Roof Replacement_Koontz_CLOSED PENDING OBS
3584 E Gibbon Mountain Place_water softener install_Weinberg_PENDING OBS
3555 E Guthrie Mountain Place_Replace Fence_Negovian_CLOSED PENDING OBS
6820 N Cascade Springs Place_Recoat (E) Roof_Steffens_CLOSED PENDING OBS
3749 E Marble Peak_Solar Battery Array_John and Peggy Prugh PENDING OBS

APPLICATIONS CONSTRUCTED, OBSERVED, CLOSED 3

827 E Marble Peak Place_Exterior privacy wall/patio,door,window_Painter_CLOSED
6875 N Cascade Springs_New Tan Roof_Robinson_CLOSED
3700 E Gibbon Mountain_Replace (E) Fence_Hudoba_CLOSED
6460 N Burro Creek Place _Paint house trim, garage door_Malone_CLOSED
3568 E Lizard Rock Place Pavers for Driveway_Candela_CLOSED
3555 E Marshal Gulch Place_Re-roof, paint exterior trim_Clark_CLOSED
6860 E Cascade Springs- Exterior Painting_Sellars_CLOSED
6760 N Cascade Spring Place_Pool,Canopies,Patio_Ifkovic/Heimstra_CLOSED
3854 E Marble Peak Place_Trim Paint, Garage Door_Enriquez_APPROVED/CLOSED
3525 E Marshal Gulch – Replace Fence_Brundage_CLOSED
6443 N Burro Creek Place_non-permanent garage bin storage_Beloso_CLOSED
3881 E Marble Peak Place_New Fence_King-Allen_CLOSED
3560 E Marshal Gulch Driveway Resurface_Kalish_CLOSED
3836 Mt Kimball_Rooftop Solar_Alison_CLOSED
3818 E Lizard Rock Place - Solar Install_Nordell Valone_CLOSED
3818 E Marble Peak Place Solar Install_CLOSED
3818 E Marble Peak Recoat Roof to Tan_CLOSED
3818 E Marble Peak Place_Shed Build_CLOSED
3818 E Marble Peak Place_Landscape Restore/Driveway_CLOSED
3705 E Esperero Canyon Place_Screen for Propane Tank_Takasugi_CLOSED
6716 Quartzite Canyon Place_Concrete Driveway_Davis REVIEW BY ACC_CLOSED

C. UNAPPROVED CONSTRUCTION COMPLAINT

3827 E Marble Peak Place tall twig/branch wood fence constructed between properties; multiple neighbor complaints; work was not included in application. On Going 3871 E Marshal Gulch Addition was completed and the homeowner had the HVAC unit for new addition installed ON the roof of home. Not approved. Not on original drawings. Homeowner is submitting a plan for resolution

D. FUTURE ACTIVITIES

Report of Findings has been posted on FoothillsClusters website.

E. ENCLOSURE POLICY

Post draft of policy for review by membership regarding housing of Trailers, RVs, utility vehicles, etc. within the Foothills Clusters community. Collect and and review comments from neighbors regarding proposed Policy. Compile comments for review by board and for determination of inclusion into or amendment to Draft Enclosure Statement.

Prepared by: Gigi Bainbridge, Chair ACC 858-395-4673
ACC Members 2025: Greg Piraino, Marty Leuking

November 2025 Compliance and Enforcement Committee Report (covering the period from 11/1-12/8)

A. Compliance Assessments: No compliance assessments were performed.

B. Courtesy Notices

Four Courtesy Notices were sent during the period, concerning a basketball hoop in public view; a flatbed trailer parked in public view; a vehicle parked on a landscaped front yard area; and construction of patio walls without an ACC approval. Three have been satisfactorily resolved; the trailer remains in view.

A fifth Courtesy Notice was sent concerning placement of two rooftop HVAC units. While this resulted in a subsequent Notice of Violation, communication with the homeowner is ongoing and discussion and review by the Board of Directors is anticipated.

C. New Enforcement Cases:

3871 E. Marshall Gulch Place: The homeowner is completing a major home addition. During that process, in the fall of 2024 two rooftop HVAC units were installed without first obtaining ACC approval. Article VII, Section 10 of the CC&Rs prohibit the installation of any type of mechanical equipment on the roof of the home.

D. Enforcement Cases in Progress: None

E. Closed Enforcement Cases

6479 N. Burro Creek Place: The trailer has been removed from the property.

3535 E. Guthrie Mountain Place: The homeowner has submitted an application to the ACC to screen the vehicle charging station from public view.

3553 E. Lizard Rock Place : The ACC approved an application covering the painting and the relocation and installation of a new side yard gate. A portion of the rear wall was restored to its previous height.

F. Outstanding Fine Balances:

6840 N. McFall Crags Place - \$180