

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

MEETING MINUTES

June 9, 2026 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 welcomed the Directors and referenced a recent newspaper article entitled, "The Good and Bad of HOAs". Among other things, the article spoke to the need to abide by HOA rules for the betterment of the community, and for the HOA to also follow procedural rules. She said that we all agreed to those rules when we bought our properties, and it is her opinion that the neighborhood has improved recently, in part due to the guidance that the FCHOA has passed in recent years. Maintaining standards is one way that an HOA can benefit its members.

3. REVIEW OF THE MINUTES OF THE PREVIOUS MEETING

The minutes were accepted without revision.

Donn Stoltzfus noted that the homeowner who was the subject of the Compliance Hearing requested a delay so that they could review records requested from the FCHOA. He asked if anyone had any objection, and, hearing none, the agenda was revised.

4.. COMMITTEE REPORTS

a.Budget and Finance Committee

Brian Bickel displayed the current balance sheet, which is also available for anyone to review on Caliber, He noted that the balance of available funds is \$81,000, in addition to funds that are held in reserve per the loan agreement for future loan payments.

He also displayed the loan payment stub, showing a balance due of approximately \$676,000 and the monthly payment of \$7219, with slightly less than half of that payment currently applied to principal. Finally, Brian said that he would be sending out assessment fee late notices to several homeowners, with the next step being a referral to our attorney for collection if payment is not received.

b. Architectural Control Committee

Gigi Bainbridge said that she had distributed the monthly report to the Board. In the past month, eight applications were received, seven were approved. She also received four new applications within the past few days. She said that she was working with a homeowner on an application for a car shade structure, and informed the Board of legislation that was recently passed that might restrict our ability to review or deny backyard shade structures. Gigi is awaiting further clarification on that legislation, but added it was rare that an application for a shade structure in the Clusters is not approved. The pool site on Kingler Spring remains inactive but she is not taking any action at this time, although she has received some comments of concern from neighbors. Gigi complimented Marty Lueking on his recent creation and initial use of the ACC application tracking format on the Caliber web site.

c. Compliance and Enforcement Committee

Donn referred to the monthly report, and said one Courtesy Notice was sent out concerning the new backyard antenna on Nugget Canyon; the owner has not responded. He also reported that one NOV was closed out, as the owner removed the boat trailer from their driveway, as of the last assessment. He will follow up to make sure that it was not just a temporary change. He also referenced the current NOV for failure to obtain ACC approval for construction at 3796 E. Guthrie.

Donn said that the previous NOV for 3800 E. Marshall Gulch was issued in error. The homeowner provided some additional information recently, which caused him to realize that he was mistaken about the facts at that property. He said that he has written an apology to the homeowner. With respect to the pool site on Kingler Spring, he said that the ACC has required the homeowner to install 4 36" boxed native trees to replace several native trees that had to be removed for the project. Given the project delay and the approaching summer heat, which is not ideal for the survival of newly planted trees, Donn granted the owner an extension until November 1 to plant the trees.

Finally, Donn said he had a records request from a homeowner about ACC approvals, and was still waiting for that information from 2023-present to be entered into the records. Greg said he would provide the information from 2023 over the weekend, and Gigi said she was working on compiling and producing the information from her files.

Gigi said that she forgot to mention that there have been some comments and complaints about the ACC application, and that she is working on revisions, including creating simplified applications for certain routine tasks, like solar installation, patio walls, driveway resurfacing, etc. She said in some cases the requirement to get neighbor signatures did not serve a purpose for the more routine and unobtrusive tasks.

d. Roads Committee

Donn said that Ron had given his proxy but not provided a Roads report. Ron did say that there had been no progress on the pedestrian safety issue; Angie Sellers is still waiting for a response from Pima County. Donn mentioned that a resident has raised an issue about drainage problems, which the resident attributes to changes made during the street resurfacing project, and he would be responding to that concern.

e. Landscape Committee

No report.

f. Welcoming Committee

Dan Weisz reported there were no sales and no new activity this month.

7. MASTER ASSOCIATION REPORT

Dan mentioned the benefits of native vegetation, and gave a brief report specifically on Palo Verde trees. He noted that there were three different varieties of Palo Verdes in our neighborhood, most prominently the Foothills or Little Leaf Palo Verde native to the foothills around us, as well as the Blue Palo Verde and Desert Museum Palo Verde which are nursery grown for landscape plantings. Palo Verdes have adapted to the hot desert climate by dropping their leaves in the summer months, while most of their photosynthesis for growth occurs in the green bark. They provide critical shade that allows young plants, especially saguaro seedlings, to survive the first few years of growth. Without Palo Verdes, we would have fewer saguaros.

Dan also pointed out that the term “native plants” is locally specific and influenced by various geologic, topographic and climatic variations. The set of plants that are native to the Catalina Mountain foothills is a smaller subset of those native to Pima County. He noted that some of the plants that are widely present in our neighborhood and perhaps now assumed to be native were in fact introduced to the area by humans. Donn reminded everyone that the FCHOA uses the native plant list from the Pima

County ordinances, with some minor exclusions, to determine the applicability of the CC&Rs.

Following up on last months report, Dan confirmed that a nest of young screech owls had died as a result of ingestion of poisoned prey, likely due to a resident setting out pack rate poison. One young owl was recovered and treated at Tucson Wildlife Center, and it will survive. He stated how important it was to avoid using outdoor poisons in order to protect our native wildlife.

A homeowner in attendance reported that her dog recently died, likely due to direct or indirect ingestion of poison.

8. TOPICS FOR FUTURE CONSIDERATION

Marty Lueking reported that the TEP box near the Alvernon entrance to the community was recently “tagged” with graffiti. He reported it to the County, and asked others to do so. There was some discussion about whether TEP also had an anti-graffiti unit and should be notified as well. Dan Weisz said that he would distribute the number/email to contact TEP.

Donn asked if there would be enough attendees next month to hold the July meeting. It appeared that there would be. He asked for a volunteer to prepare the agenda for that meeting, and Gigi volunteered.

9. CURRENT AND POTENTIAL LITIGATION (EXECUTIVE SESSION)

The Board entered into executive session at approximately 7:17. for the purpose of discussing ongoing and pending litigation.

10. ADJOURN The Board returned to adjourn the meeting at approximately 7:55.

May 2026 Architectural Control Committee Report

The Architectural Control Committee Report may be accessed by going to www.foothillsclusters.com, clicking on Web Portal and selecting Documents from the menu, and then selecting the ACC report tab.

May 2026 Compliance and Enforcement Committee Report (for the period from 5/1-6/2)

A. Compliance Assessments: None

B. Courtesy Notices

A Courtesy Notice was sent for a backyard ground-mounted transmission antenna, supported by two poles and cables, visible from the front street and

extending for several feet above the height of the house. The antenna is prohibited by the CC&Rs and the poles are subject to ACC review.

C. New Enforcement Cases:

6840 McFall Craggs Place: a boat trailer is maintained in public view on the eastside of the home.

D. Enforcement Cases in Progress:

3796 E. Guthrie Mountain Place: A Compliance Hearing will be held on June 9 to consider assessment of fines. Construction was observed to occur at the property without application to or approval by the ACC.

3871 E. Marshall Gulch Place: During a major home addition, two rooftop HVAC units were installed without ACC application or approval. Fines and late fees of \$180 have been assessed against the property as enforcement continues.

3621 E. Kingler Spring - The ACC approval of this ongoing construction project required replacement of four mature native trees by May 21. Owner stated that due to construction delays he is unable to meet the deadline. As mid-summer is not an optimal time to plant boxed native trees, deadline was extended until November 1

E. Closed Enforcement Cases:

3540 / 3548 E. Nugget Canyon. The utility trailer has been removed from public view.

3800 E. Marshall Gulch Place: Upon review of documentation submitted by the homeowner, it was determined that the Notice of Violation was in error and has been withdrawn.

F. Past Due Fine Balances

6840 N. McFall Craggs Place - \$180
3871 E. Marshall Gulch Place - \$180

G: Additional Note

A revision to the General Violation Fine Schedule has been drafted and is being reviewed by the Committee.

The Compliance and Enforcement Committee includes Donn Stoltzfus, Ron Steffens, and Jim Mackie.