

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

MEETING MINUTES

September 8, 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 the homeowners that were in attendance. She noted that recently javelinas had scattered the contents of her trash container around on the street, as occasionally happens in the neighborhood, and added that she is grateful that we have neighbors who will often respond, in the absence of the homeowner, by picking up the trash.

3. REVIEW OF THE MINUTES OF THE PREVIOUS MEETING

The minutes were accepted without revision.

**4. POTENTIAL ACTION TO ESTABLISH THE BALLOT FOR THE NOVEMBER 2026
ELECTION OF THE BOARD OF DIRECTORS AND REPRESENTATIVES TO THE
MASTER ASSOCIATION.**

Marty Lueking, for the Nominating Committee, made a motion to include Aletha Kalish, Gigi Bainbridge, and Madeline King as candidates for the three open positions on the Board of Directors. The motion was seconded and approved.

There was a call to the members for anyone else interested in being included on the ballot. No one volunteered.

5. 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 approximately \$20,000 higher than at the same time last year, and suggested that the growing balance will need to be retained for future street maintenance. Brian added that there is little cash inflow or payments at this time of year.

b. Architectural Control Committee

Greg Piraino reported that there were approximately five new applications last month, all for minor construction and either already approved or likely to be approved in the near future.

c. Compliance and Enforcement Committee

Jim Mackie reviewed the monthly report of the committee, which is attached at the end of these minutes. He noted that a fine of \$150 had been imposed against a homeowner for storing a Ford Explorer on the street in front of their home. The vehicle has not yet been removed. Several other enforcement actions remain in progress, but there were no other new confirmed violations.

d. Roads Committee. No report

e. Landscape Committee. No report

f. Welcoming Committee

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

6. DISCUSSION AND POSSIBLE ACTION CONCERNING THE PROPOSED REVISION TO THE GENERAL FINE SCHEDULE

Jim Mackie explained that the proposed new fine schedule was posted on the website with an invitation for public comment. Several homeowners commented in favor of the change, one homeowner opposed it, and one recommended a decrease in the final fine amount of \$1000. Jim said that with those comments, it was time for the Board to vote on whether to adopt the new fine schedule and made a motion to do so. It was seconded, and after brief discussion the motion was approved by vote of the Board. Marty Leuking noted that the schedule will go into effect in January 2027.

7. MASTER ASSOCIATION REPORT

Dan Weisz explained that Southwest Gas had cleared about 3600 square feet of the Common area while working on the high-pressure gas line in their easement along Skyline Road. When he contacted Southwest Gas, the project foreman explained why they had done so and said that the area would be restored and reseeded. Dan expects to be notified when Southwest Gas performs that work and noted that the utility has experience in such desert restoration projects.

8. TOPICS FOR FUTURE CONSIDERATION

A homeowner asked for information on the ongoing litigation. Jim Mackie, of the Legal Committee, responded that there were two matters: The first was an action taken by the HOA to uphold the rights of the homeowners and enforce the CC&Rs. The second was a claim by a homeowner against the HOA for damages. Our insurer has retained counsel to defend the HOA against that claim, and at present the matter is in discovery. The lawyers for both sides are exchanging communications, documents, and other information.

In response to a followup question from the homeowner, Jim said that in the unlikely event that the homeowner is awarded damages, the insurance company probably would not pay those damages on behalf of the HOA, although that has yet to be determined.

9. CURRENT AND POTENTIAL LITIGATION (EXECUTIVE SESSION)

The Board entered into executive session at approximately 6:55 PM to discuss pending litigation.

10. ADJOURN

The Board returned and adjourned the meeting at approximately 7:00 PM.

August 2026 Compliance and Enforcement Committee Report (for the period from 8/1-8/31/26)

A. Compliance Assessments: None.

B. Courtesy Notices: None

C New Enforcement Cases:

6840 McFall Craggs Place: Fines in an amount of \$150 were assessed for parking a red Ford Explorer on the street overnight. The vehicle has been left on the street overnight for several weeks. The property owner has not responded to prior notices of the violation or

the assessment of fines and the vehicle remains in place.. This is the maximum fine that can be imposed under the Vehicle and Parking Policy Enforcement Process unless the Board determines that the violation is egregious, dangerous, or causing damage to another property.

D. Enforcement Cases in Progress:

6840 McFall Craggs Place: A boat trailer is maintained in public view on the eastside of the home. The Compliance Hearing Panel upheld the violation and a fine of \$50 has been assessed. A second fine of \$100 may be assessed if the trailer is still present in public view after September 12.

3796 E. Guthrie Mountain Place: Construction was observed to occur at the property without application to or approval by the ACC. A Compliance Hearing scheduled for August 11 was postponed at the request of the homeowner and will be rescheduled for October 13. Approximately 580 pages of copies of Association records have been provided to the homeowner at their request. The copies were charged at a rate of \$0.15 per page.

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. The case was referred to our attorney for enforcement and a letter dated August 28 was sent from our attorney to the homeowner, demanding that the units be removed by September 27.

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.

Monsoon rains caused some washout of soil from the construction area onto Kingler Spring. The homeowner was contacted and removed the soils from the street.

E. Closed Enforcement Cases: None

F. Past Due Fine Balances:

6840 N. McFall Craggs Place - \$380

3871 E. Marshall Gulch Place - \$180

G: Additional Notes:

A revision to the General Violation Fine Schedule was made available to the membership for review and comment. It is posted on the website, and a communication was sent to all member email addresses informing them that the revised Schedule is posted on the website. Several comments were received during August, with a clear majority of those comments favoring the revision.

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

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