

2024 Annual Foothills Property Owners Association Meeting Minutes

I. Time/Date: 1:00 PM/ Nov. 16, 2024

Format: In-Person & Wix Video

Conference Attendees:

Board Members: Jack Swarsbrook, Jon McGuffin (Wix Video)

Residents: In-person attendees: Myrna Swarsbrook, Dick & Sue Milon, Jerry & Bev Thurber, John Coppage, Chris & Alicia Czuzak, Don Michelman, Ed Blum, Dean & Gale Perrone, Barbara Red, David Byladeck & Karen Sullivan, Chris & Alicia Czuzak, Jan Hanna, Jerome & Eileen Tellez, Nancy Clark, Bob Davis, Allen & Miriam Foster, Betsy Macy, Barbara Nelson, Brian Ruiz, Bill Towne

Video conference Attendees: Don Pratt, Dick Good

II. Meeting was called to order by Jack Swarsbrook: 1:05 PM

III. Welcome

- a. Year in Review: Jack Swarsbrook reported:
 - i. One warning was issued to a resident for alleged violation of short-term rental rules.
 - ii. Two warnings were issued to builders for construction rules violations (one for radios excessively loud and one for starting before construction hours).
 - iii. One Fine was issued for a subsequent violation of loud radios
 - 1. Both of the builders have been extremely responsive and have been a pleasure to work with.

IV. Old Business

- a. Jack thanked out-going Board Members Guy Dahlbeck and Bob Joslyn for their service to the neighborhood. Both have dedicated a lot of time to the administration of the FPOA.
- b. Jack reported that in the CC&R Election that closed 10 March 2024 we only had 47 ballots returned with 42 “yes” votes and 5 “no” votes on both questions. The questions failed (55 (67%) “yes” votes were required to pass).
 - i. Board decided to rerun the election in conjunction with the annual meeting with a shorter review/voting period in hopes of bringing out the vote.
- c. Treasurer’s Report
 - i. Jack gave an overview of the association’s finances as of 16 Nov 2024
 - 1. \$90,704 in 2 accounts at AZ National Bank.
 - 2. \$14,964 in projected expenses for remainder of 2024.
 - 3. \$41,500 in moneys that are allocated for drive maintenance and Firewise accrual or construction deposits that will be paid back to 3 construction projects builders.
 - 4. Which leaves \$34,464 as an operating balance end of year.

5. A financial Snapshot is available on the website prescottfoothills.com under the “Important Documents” menu.
- ii. Association Dues increase
 1. Due to uncertain predictions for the upcoming snow season, a new contractor with a new pricing model, and the potential costs of road maintenance identified below, the Board voted to raise the association dues by 5% as allowed in the CC&Rs. New dues will be \$485.
- d. Private Roads Maintenance Review
 - i. Jack reported that even though crack sealing was done 3 years ago and usually lasts 3 – 5 years, the sealant is beginning to show signs of failure on various private roads as well as additional new, unsealed cracks that may have to be resealed this coming year. We will have an evaluation done.
- e. New Snow Removal Contractor (Dick Good)
 - i. New contractor is Zebrascape, a well-established local contractor
 - ii. Pricing is a flat rate, per event cost.
 1. 2-inch forecast/accumulation is “trigger” point for action.
 2. No increase in price for weekend/holidays.
 3. Includes salt /ice melt which we paid extra for with our last contractor.
- f. Firewise Update/Info
 - i. Eileen Tellez gave a report on the 2023-2024 Healthy Forest Grant Program that some of our residents participated in.
 - ii. Eileen also reported on a \$3000 grant that was awarded by the City of Prescott. Jack added that the Board has authorized the money to be used for association common area east of Spring Trail. A contractor has walked the area 4 times with Jack and still hasn’t sent an estimate.
 - iii. 2 residents reported dead trees on the common area that probably present a fire hazard. The board is working on getting a contractor engaged.
 - iv. One of the residents suggested that Firewise information be posted on the association website. There are now links on the website to pertinent Firewise info. On the website navigate to “Committees”, at the bottom of the Firewise committee column click on “Learn More” and you will find the links.
- g. Common Area Landscaping Update (Bob Joslyn)
 - i. Material for a “self-help” project to spruce up the entrance wall has been purchased. Stucco repair and painting of the pillar caps and writing soon to be done weather permitting.
 - ii. The Board received one bid on a landscaping update for the entrance; \$3534 to replace landscaping fabric, replace decorative stones, and plant 4 Russian sages (low water). Since winter was coming, the Board elected

to defer the project until the Spring and try to get another couple of estimates.

- h. ACC Update (Jack Swarsbrook)
 - i. Two houses currently under construction.
 - 1. Jack mentioned again that both builders have been best seen to date at this point regarding following construction rules and responsiveness.
 - 2. House under construction on Autumn Breeze was a “spec” build and has been sold.
 - ii. One build on Summer Field expects to start next year.
- V. New Business**
- a. Jack announced our annual Holiday/Christmas Party will take place 12 Dec at 5:00 PM at Gurley Street Grill.
 - b. Results of the Vote for new board member(s)
 - i. Jack thanked candidates Troy Alvarez, Chris Czuzak, Bob Joslyn, and Bill Towne for agreeing to run for a seat and announced that Troy, unfortunately, had to pull out of the race late.
 - ii. Chris Czuzak and Bob Joslyn received 31 and 29 votes respectively and will be seated as members of the Board. Bill Towne and Troy Alvarez received 26 votes each.
 - c. Returns in the election to update the CC&Rs and Bylaws were better this time but at 51 ballots returned, still did not meet the requirements to pass.
 - i. Update of the CC&Rs (question 1)
 - 1. 43 approve, 8 disapprove.
 - ii. Update of the By-Laws (question 2)
 - 1. 44 approve, 7 disapprove.
 - iii. Both questions failed (55 approve votes required to pass)
 - 1. The Board will discuss options going forward.
 - d. Association Members forum
 - i. There was a lengthy discussion regarding the expense of snow removal for developer installed private roads being subsidized by those who live on public streets.
 - 1. Jack reminded everyone that maintenance of the developer installed private roads is mandated by the CC&Rs.
 - 2. During the purchase of our homes/lots, we agreed to abide by the CC&Rs.
 - ii. There was a question regarding who asked for the proposed change in the voting requirements for dissolving the association from 51% to not less than 2/3 (66%).
 - 1. Jack explained that during legal review, the lawyers recommended this requirement be set to 90%. The committee thought that unreasonable and after numerous meetings/discussions on the topic it was decided that since all

other voting requirements in the CC&Rs used “not less than 2/3 (66%)”, it would be appropriate for dissolution as well.

VI. Adjourn: Meeting adjourned at approximately 1437

A handwritten signature in black ink, appearing to read "Jack Swarsbrook". The signature is written in a cursive, flowing style with a long horizontal tail stroke.

Jack Swarsbrook, President
Foothills Property Owners Association