

CATALINA FOOTHILLS ESTATES #9

BOARD MINUTES

2019

January 7, 2019

April 1, 2019

May 6, 2019

September 9, 2019

October 7, 2019

November 4, 2019

December 16, 2019

CAT 9 Board Minutes January 7th, 2019

Members Present: Jabczenski, Joyce Su, Diane Frank, Nancy Kay, Robert Lipinczyk, Tung Bui, Beth Scott (via tele conference)

Guests Present: Kevin Paulus, Samantha Orchard, and Jeffrey McElwain

Minutes of December 2018 Board Meeting were reviewed and approved.

Treasurer Report's: No change from last month. Joyce Su is too meet with Judy to discuss collection of dues for this year.

Registrar's Report: Currently only one home for sale in neighborhood.

Calendar Report: Need to contact Steve Booth cell 907-982-3541 to get room opened for future meetings.

Road's and Maintenance: Jose Gonzales getting paid \$375/month for road maintenance. Scott Hastings 982-9586 from Comcast has been notified to do repairs. The bid to resurface roads from Tucson Asphalt was \$34,000. This has been delayed since 2015 and it is anticipated that we will have enough funds in account to do project this spring and in 5 more years.

Items

1. Orchard Driveway Proposal was reviewed and approved.
2. McElwain Home Addition was reviewed and approved.
3. Morris-Bryant Tree Issue still pending
4. Hap "clean up your poop signs" was reviewed and the board agreed to allow individual homeowner's to post signs at their expense.
5. Leissuring Driveway Complaint was discussed and Tung was to contact homeowner to improve her driveway.

Next Meeting February 4th, 2019.

Minutes CAT 9 Board Meeting April 1st, 2019

Members Present: Griffin, Jabczenski, Frank, Scott, Kay, Lipencyck, Swartz, Su, and Bui

Guests: Mrs. Lee

Review Minutes March Board Meeting: passed with minor revisions

Treasurer's Report: Only 6 homeowner's haven't paid dues.

Storage Insurance will be added to Association insurance coverage.

No late fees will be charged on dues not paid until April 1, 2019

Registrar's Report: One home is currently for sale, 2580 E. Manzanita. One home closed last month.

Calendar Report: Tax and Joyce will file tax return. Pat to do annual report.

Tucson Asphalt will re seal roads later this month. \$35,000 approved for the project.

Neighborhood fire in mailbox most likely due to vandalism.

Old Business

Complaint/Fine Schedule: Nothing new to report.

Morris/Bryant Tree Issue: Mr. Bryant has been trimming his trees and it is anticipated that it will be sufficient to improve Mrs. Morris's views.

Lee/Green Landscape Issue: The board decided that a letter would be sent to Mr. Green and to hold him accountable for the lost vegetation on Mrs. Lee's property. He will be asked to either replace the lost plants or reimburse the Lee's for the damages. Mr. Green will be invited to the next Board meeting to give his side of the story.

New Business

From: T. Patrick Griffin pgriffin@mpfmlaw.com
Subject: May 6, 2019 Minutes
Date: June 3, 2019 at 11:11 AM
To: Tung Bui tung.bui@utoronto.ca, diane frank frank_diane33@comcast.net, Beth Scott beth.scott@ymail.com, felix jabczenski f.jabczenski@comcast.net, bob lipinczyk bob@buffaloaz.com, Paul Schwartz pauls26@optonline.net, Nancy Kay nanck8@gmail.com, Joyce Su joycesu@yahoo.com



Catalina Foothills Estates No. 9 Minutes of Meeting held on May 6, 2019 at 7:00 pm.

Present: Directors: Beth Scott, Bob Lipinczyk, Nancy Kay, Diane Frank, Pat Griffin and Joyce Su, constituting a quorum.

Guest: Valerie Gerickas.

April 2019 Minutes. Approved.

Registrar. Report presented by Diane. Approved.

Trasurer. Report presented by Joyce. Approved. Joyce and Pat to follow up on missing Tom Horvath dues payment.

Calender. Report presented by Nancy. Approved.

Roads and Maintenance. Report presented by Bob. Approved. Bob to schedule re-sealing, and draft a 5-year plan on road maintenance.

Old Business.

Fine Schedule. Pat will try to reconcile old schedule with current recommendations.

Morris-Bryant Trees. Pat will contact Barbara Morris re status.

Lee-Green Landscaping Dispute. Tung will request Lees to obtain revegetation estimate.

McElwain Remodel. Approve parpet heights.

New Business.

Gervickas Tree removal and patio roof removal/replacement.

Valerie presented photos of tree that may fall onto her house. Removal of tree approved.

Valerie presented photos of patio roof. Removal approved. If Valerie elects to replace the roof, Valerie must obtain Board approval for materials.

Valerie photos of Ivy tree on lot boundary. Pat or Tung will contact Ivy to discuss Valerie's request that the tree be removed or relocated further inside Ivy's lot.

Adjournment.

Minutes September 9th CAT 9 Board Meeting

Members present: Griffin, ~~Jabczenski~~, Scott, ~~Lipinsky~~, Frank, Kay, ~~Bui~~, Joyce Su,

Guests: Larry Ivy, Kevin, Dr. Lee

Approval of June Board Minutes: (see enclosure) reviewed and approved

Treasurer's Report: submitted (enclosed) ~~approved~~. All dues for 2019 are paid with exception of Horvath. 129 of 130 members paid.

Calendar's Report: Annual Meeting plans. Insurance policy to be renewed.

Registrar's Report: (see enclosure) Two ~~home's~~ have sold and closed this summer. No homes are currently for sale at this time.

Neighborhood Watch: no issues this summer

Road's Report: (see enclosure) Roads to be sealed and repaired end of September and October by Tucson Asphalt. Schedule to be e-mailed to all homeowner's by Dick Bryant. Landscaper guy to be re-signed for next year.

Old Business

1. Lee's Landscaping Update. Letter was reviewed by Mr. Green's POA who states that the Lee's have exaggerated the amount of vegetation that was removed. Mr. Green's letter states that the Lee's removed trees and not him. Dr. Lee present stated that the natural barrier between the Lee house and Green house was destroyed by Mr. Green and the privacy between the two houses was disrupted. He states that the removal of the native vegetation on his land was not replaced by the Greens. The Lee family is planning to resolve these issues in court. The board plans to send Mr. Green notice that any native vegetation that he removed needs to be replaced. It appears that there is a dispute between the two families between the vegetation that was removed. Tung agreed to write a compliance letter to Mr. Green.

2. ~~McElwain~~ Remodel Update. The plans were conditionally approved by the board in the February board meeting. It met the requirements of the CCNR's, but the current building plans appear to be different from what was approved by the board. The board plans to ~~were~~ to review the current plans and compare them to what was submitted to the board and to identify discrepancies. Kevin and Pat are to review this.

3. Fine Schedule. Tabled for future meetings.

New Business

1. Mr. Ivy presented an update of the trees that were removed by Valerie. He is concerned that Valerie inappropriately revolved 3 trees on her property (not a tree) According to Valerie the trees were damaging her house. The board reviewed the June minutes and the board agreed Ed to allow Valerie to remove “trees” on her property. No additional action is required.
2. Annual Meeting Planning. ~~Jabczenski~~ and Scott will not seek re-election to the board next year. Larry Ivy wishes to run for board membership.

Next Board Meeting Oct 7th, 2019.

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Minutes CAT 9 October Board Meeting

Members present: Griffin, Jabczenski, Bui, Lipinski, Frank, Scott, Kay, ~~Su~~
Guests: Larry Ivy

September Minutes. Reviewed and approved.

Treasurer's Report. Report reviewed and approved. Tucson Asphalt will be paid when completed. Katie Obrien purchased additional garbage bin.

Calendar's Report: Committee for Annual Meeting appointed and will be Griffin, Su, Frank and Joyce. Joyce will chair. Annual meeting will be November 4th. Tentative committee meeting will be Oct 20th at 2pm at Joyce's home.

Registrar's Report: reviewed and approved. Enclosed. One home closed last month, lot 33. No other homes are currently for sale.

Neighborhood Watch: no issues last month.

Roads Report: road improvement was delayed for weather issues. Hopefully will be completed soon. Larry Ivy will follow up with the completion of the road project and will contact Comcast to see if they will repair their road damage. If Comcast doesn't repair their road damage then Tucson asphalt will do the repairs and we will charge Comcast.

Architecture: there was an anonymous complaint about O'Brien's flashing on her house. This addition has not been presented to the board. Kevin will go out for site inspection. Pat will email Kevin.

Old Business

1. McElwain Plan Review. Kevin and Pat are going to review the new construction to make sure it conforms to the plans submitted to board for approval.
2. Green/Lee Update. Rhonda Rowlette, attorney for the Greens sent a letter to the board. (Enclosed). In the letter she indicated that only dead shrubbery and oleanders were removed. The Greens are planning an art studio addition which will also address the landscape mitigation issue and asked to extend their mitigation plans until the November board meeting. Plans are to send a letter to the the Green's to extend their landscape mitigation issue until the November board meeting.
3. Fine schedule. The board voted to approve the current fine schedule, enclosed.

New Business

1. Board Elections will be done by the Annual Committee.
2. Annual Meeting will be November 4th. Lee, the neighborhood garbage man will be asked to give a talk.

MINUTES
Catalina Foothills Estates No. 9 Association
Annual Meeting of the Members
Annual Meeting of the Board of Directors

Catalina Foothills Church classroom area
2150 E. Orange Grove Road, Tucson, AZ
Cat9.org

Date: November 4, 2019

Directors Present: Patrick Griffin, Diane Frank, Felix Jabczenski, Nancy Kay, Joyce Su Tung Bui

Directors Absent: Paul Swartz

Guests present:

Dawn Melichar, John Duval, Valli Duval, Larry Ivy, Joel Levine, Rhonda Rowlette, Elton Clark, Louise Henderson, Dale Henderson, Sherri Durand, Kate Jabckzenski, Jan Harrell, Teri Ellen

ANNUAL MEETING OF THE OWNERS

Call to Order: Pat Griffin, President, called the meeting to order at 7:15 pm.

Homeowner's Comments:

1. Mailboxes – Based upon concerns about aging mailboxes, Pat will contact Murphey Trust to see if they can provide assistance with mailbox lettering and replacement.
2. AriBNB – The Board confirmed that AirBNB short term rentals are not permitted by the CCRs but that long term rentals are allowed.
3. Garbage Cans- There was a question about trash can compliance. The board confirmed that all trash containers are not to be “Visible From Neighboring Property” except on collection days. (CCR Section 4.g.). Owners with specific complaints about a neighbor should contact a member of the Board.
4. Recycling – the trash collection protocol regarding recycling is still confusing for owners. Diane advised that she believes our trash service continues to dispose of recyclables separately for carboard, plastics 1 and 2 plus glass (any color, but not lightbulbs). The board will gather more information from RES.
5. Newsletter – Kudos to Joyce Su for preparing the newsletter and for Joyce and Louise for organizing/hosting a neighborhood potluck. There was a very good turn out and

Louise will be sending another email to the neighbor for the next supper club. The next supper club is being planned for February.

6. Directory – There was a question about whether the neighborhood contact list is public information. Richard Bryant has the list to send mass emails. Otherwise the database is confidential and only distributed to the board to protect owners' privacy. Contact Diane if you have an issue.
7. Speeding – Residents raised issues about speeding on Calle Los Altos and Circulo Solaz and discussed possible solutions. Owners were cautioned to slow down and drive 25 mph. The owners discussed possible signage, reflective mirrors, radar traffic monitors, liability, and the history of speeding in the neighborhood. Another owner suggested looking into the county road requirements, and utility easement trimming.
8. Catalina Foothills incorporation – One owner brought up the community initiative to incorporate our “Catalina Foothills” into a separate city.
9. Traffic speed moderation – An owner mentioned contacting the city or county to learn more about proposing speed monitoring devices on Skyline (similar to the speed monitoring on 1st street).

Election of Board of Directors: All Board members on the ballot were elected. There was one write in vote and Pat will coordinate to determine interest of the write in member.

Tung Bui
Sherri Durand
Teri Ellen
Diane Frank
Pat Griffin
Larry Ivy
Nancy Kay
Joyce Su
Paul Swartz

ANNUAL MEETING OF THE BOARD OF DIRECTORS

Minutes: The Board approved the October Board meeting minutes dated October 9, 2019.

Neighborhood Watch: Suspicious white BMW vehicle has been seen in the neighborhood, along with persons knocking frantically on doors of multiple houses. License plate was relayed to the Sheriff's department. Owners are encouraged to notify neighborhood watch list on the Cat9.org website so that other owners can be alerted. Owners discussed the benefit of the Ring or other types of security cameras. Owners were cautioned to be alert and aware of all walkers in the neighborhood.

Treasurer's Report: Total cash in the bank is \$93,249.95, which includes a road maintenance reserve of \$71,144.40. Road maintenance expense for 2020 is estimated at mid \$30,000. Overall the HOA is solvent. The Treasurer's report balance sheet and proposed vs. actual budget through October 31, 2019 are attached.

Calendar's Report: No updates to report.

Registrar's Report: No homes are currently listed for sale, with one home potentially being listed for sale. In 2019, six homes sold in the neighborhood.

6701 N. Altos Primero	Tiffany & Toby Horvath
6961 N. Solaz Primero	Sherri Durand
2171 E Circulo Solaz	Teri Ellen
6961 N. Solaz Segundo	Nora Pakulis & Anis Upatnick
2580 E Manzanita Ave	Christina & Phillip Baker
5961 N. Solaz Tercero	Jerene & Aaron Stremick

Road's Report: Larry Ivy has offered to take over roads maintenance responsibilities for the board. He has been tasked to work with Comcast to repair cuts previously made by Comcast, and poor repairs made in October. Roads are estimated to be re-sealed in mid-May 2020 with Tucson Asphalt.

Old Business:

1. McElwain Remodel compliance – involves construction of large addition on Calle Los Altos which was approved as unified structure; possible violations of CCRs and county requirements – inspection needed.
2. Lee Landscaping issue – pending litigation between Lee and Green owners involving alleged landscaper trespass onto Lee property and excessive removal of natural vegetation in violation of CCRs. Green proposing detached studio and shrubbery plan as mitigation which needs architectural review. Possible presentation at next board meeting.

New Business:

1. Gervickas yard issues – involves getting agreement on tree trimming and vegetation removal between owners, and potential construction of patio and pergola.
2. Board of Director Conflicts of interest – Owners questioned the write in board of director process, and whether there are any guidelines for directors joining the board who have continued violations, litigation involving the HOA, or other conflicts of interest. Other owners suggested that the write-in process be reviewed. Pat will provide an update at the next meeting.

Meeting adjourned: 8:35 pm

Next Meeting: December 4, 2019

Submitted on behalf of the board,

Sherri Durand

Sherri Durand

Vice President and Secretary



MINUTES

Catalina Foothills Estates No. 9 Association
Catalina Foothills Church classroom area
2150 E. Orange Grove Road, Tucson, AZ
Cat9.org

Meeting Date: December 16, 2019

Directors Present: Tung Bui, Sherri Durand, Teri Ellen, Diane Frank, Pat Griffin, Larry Ivy, Nancy Kay, Paul Schwartz, Joyce Su

Directors Absent: none

Guests present: Kevin Paulus (approving architect), Evan Eglin (Green addition architect), Rhonda Rowlette (owner)

Call to Order: The President, Pat Griffin, called the meeting to order at 7:05 pm.

Quorum: The President declared a quorum.

Minutes: The Board approved the meeting minutes from the November 4, 2019 annual meeting of the members and directors.

Election of Officers. Pat Griffin was re-elected President, Sherri Durand was elected Vice President and Secretary, and Joyce Su was re-elected Treasurer.

Treasurer Report. Joyce Su, Treasurer, distributed the Proposed vs. Actual budget for 2019 through November 29, 2019. Fiscal year begins Feb 1. Interest in the savings was \$1.75. Paid monthly dues for roads of \$375/month. Storage is \$79/month. Checking has a balance of \$21,651.16. Savings has a balance of \$71,146.15. Planned Income was \$13,525 and actual income was \$13,940. Planned Expenses were \$13,525 and actual expenses were \$2,139.43 due to the repaving being re-scheduled to 2020. There is one delinquent owner who will receive an invoice for both 2019 and 2020 due to an issue with proof of payment.

Calendar Report. Nancy Kay read the calendar report. She reported that some directors do not have board books. No audit committee is needed since the treasurer was re-elected. The Board approved the donation to the church. Bank cards exist for Pat and Joyce already. Sherri reserved the meeting room dates for 2020.

Registrar Report. Diane Frank reported that one home was likely to be pending soon.

Roads & Landscaping Report. Larry Ivy met with the landscaping company to highlight debris needing removed and trees trimmed. Larry is evaluating the scope of work, hourly rates, schedule, and overall effectiveness of contractor since the contract renews in February. Larry voiced concern that a couple months have passed without debris being promptly removed. Pat cautioned that while the HOA has a 10-foot easement, the land owner still needs to be contacted and consent to any trimming. Larry also reported that Tucson Asphalt will inspect the roads mid-April for a mid-May schedule of road re-sealing. Pat suggested reviewing the contract for Tucson Asphalt to ensure that the scope of work meets our needs for crack repairs and common areas. Larry to provide the 5-year road maintenance plan to the board at the next meeting.

Neighborhood Watch. Tung Bui reported suspicious activity by a red truck license number CBD6061 and cautioned owners to be aware. Suspicious activity by a Penske's rental truck was also mentioned in the neighborhood.

Architecture Report. The board reviewed the Green new addition project with the Green's architect and with Kevin Paulus, CAT9 current approving architect. There was discussion of updating the septic system currently encroaching into the utility easement. The Green's architect provided preliminary renderings. No action was taken and no approval was granted. **The Green's need to re-submit the final set of full drawings for board approval prior to proceeding to construction.** To add to February agenda for re-review upon receipt of final plans.

4. Old Business

- A. Comcast/Tucson Asphalt patch on Altos Segundo – see above
- B. Fee Schedule finalization – move to February BOD meeting
- C. Overall enforcement of delinquent dues and compliance – directors agreed that owners should receive written notice of any approvals, and that notices should be sent to those who are not in compliance. Owners are responsible for keeping the board updated on the status of construction.
- D. McElwain Remodel compliance – no updates. Pat has action to review with owner.
- E. Green/Lee Landscaping – Green studio addition – see above
- F. Gervickas yard compliance – need formal request from homeowner to board.
- G. Gervickas tree removal update – need update on vegetation follow-through.
- H. Bryant/Morris Tree update- no action; neighbors to resolve between themselves
- I. Obrien flashing update – construction update needed. Paul has action.
- J. Mailbox lettering update -discussed that upkeep for mailboxes is owner's responsibility; Pat to see whether contractor available to assist with re-painting

5. New Business

- A. Volunteers for Calendar – Sherri volunteered to help Nancy
- B. RES Recycling process update – Diane to provide update in April when rules are revised
- C. Speed monitoring on Skyline/supervisor meeting – no update
- D. Donation to church for holidays – board approved \$50
- E. Neighbor comment on Lot 70 (Laman) – cease construction letter to be sent

6. **Next Meeting, Action Items, and Agenda.** The next BOD meeting is to be held on January 6, 2020 at 7 pm. Attached below please see action item list.

7. **Other Business / Concerns / Announcements.**

- The Board discussed that they would like a quarterly newsletter. The next supper club will be co-hosted by Anne and Bob Segal, Chris and Al Ciasca and Rita on January 5, 2020. Owners should contact Louise618@gmail.com to be added to the invite list. More details to come in the newsletter.
- The Board discussed creating a document library for forms and template notices.

8. **Adjournment.** The meeting was adjourned at 9:25 pm.

Submitted on behalf of the board,

Sherri Durand

Sherri Durand

Vice President and Secretary



CAT9 BOARD ACTION ITEMS
As of December 16, 2019

	<u>Date Added</u>	<u>Action</u>	<u>Responsibility</u>	<u>Due</u>
1	NOV 2019	Mailbox lettering – contact Murphey trust to obtain contractor	Pat	FEB
2	DEC 2019	Provide copy of 5-year road plan developed by Pat and Bob	Larry	JAN
3	DEC 2019	Review / draft scope for landscaping services	Larry /Sherri	JAN
4	DEC 2019	Tucson Asphalt contract review	Larry	JAN
5	DEC 2019	Fee Schedule finalization	Pat	FEB
6	DEC 2019	McElwain – check status of construction	Pat	JAN
7	DEC 2019	Laman - Cease construction letter	Paul / Sherri	JAN
8	DEC 2019	Obrien - Cease construction letter	Paul / Sherri	JAN
9	DEC 2019	Donation to Church	Joyce	DEC
10	DEC 2019	Template compliance letters	Sherri	FEB
11	DEC 2019	Recycling rules / update for April meeting	Diane	APRIL
12	DEC 2019	Newsletter	Teri, Sherri, Joyce	Quarterly
13	JAN 2020	Year-end financial report	Joyce	FEB
14	JAN 2020	Dues assessment notices	Joyce	END JAN