

FCW Questions posed by the community:

- How will the BOD address the outcome of the CWC lawsuit?
- How will the BOD put pressure on the Edge immediately to do something about the golf course land?
- When will the HOA board begin the legal fight to fix golf course, and reclaim losses (including pain & suffering) from Golf Course Owner, for not having a golf course & first class facilities for the last several years? Similar to Ahwatukee Lakes decision.

The Court in its March 23, 2021 ruling held:

- Foothills Club West improperly annexed the Golf Course Property. The Court points out that the only method to annex the golf course is a Foothills Club West member vote and likely a vote to amend the Master CC&Rs.

- Foothills Club West took the action to become “Declarant” under the Golf Course Declaration in 2010 in an executive session and this was inappropriate

The next step in the lawsuit is for the plaintiff and defendant legal teams to discuss and write up the final judgement that will be approved by the commissioner and filed with the court. Based on the language of the Golf Course CC&Rs, the members of the HOA are the golf course beneficiaries. Once we have the final court filings, we’ll work with a legal team to understand the role of the HOA BOD relative to the Golf Course property, up-keep, and enforcement as the beneficiaries. We certain intend to take the necessary steps towards enforcing the golf course CC&Rs.

- Given the recent ruling (3/23/2021) by Judge Andrew J. Russell of Superior Court of Arizona Maricopa that the Foothills Club West HOA board improperly attempted to acquire the “Declarant Rights to the Club West Golf Course Property”. Who now owns those rights and what impact might that have regarding use of that property going forward?

We have requested this specific detail from our attorneys.

- Will the BOD contact the Edge on behalf of all golf course homeowners to let them know a fire hazard exists in debris on the course and that a cleanup is required [within a short period of time]?

Yes, the HOA BOD will be happy to collect inputs on fire hazards and clean up areas. We will reach out to the Edge and/or fire department on behalf of the community. The HOA BOD is also initiating an “Awareness and Patrol Committee” to assist with local monitoring.

- Is the BOD considering new legal counsel as a result of the lawsuit?

We currently employ three different legal teams and are assessing them.

Carpenter / Hazelwood LLC, Tim Barnes and Phil Brown.

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- What is being done to put the call for committee involvement put out to homeowners quickly? Are we sharing the committee names in the open meeting on Thursday? I know it is in the open meeting packet, but most don't download it. So maybe we can read out the list.

Yes. The committee names will be read aloud. When the committees are read the volunteer names will be visible. The list is also included in the agenda packet for the owners on the portal. We will request permission from each committee member before officially publishing their names on the Foothills Club West site.

- What committees are currently active and what are their reports? Included in 4/15 agenda:

Architecture, Infrastructure, Communications, Social, Landscaping, Golf Course, and Awareness/Patrol.

- Who is taking on the issues of such infrastructure as gates and walls, and is that moving forward? Arch or Landscaping committees???

This will be the infrastructure committee and Vision Management.

- Will the HOA BOD/Vision conduct a campaign asking for homeowners to provide their best email addresses?

Yes. This was posted on NextDoor informally already. The BOD is considering postcards for the community but the most cost-effective method will be to include this request in the upcoming community mailer next month.

- What is the Board's assessment of what they've learned in the past month and what are their resulting emerging priorities?

The HOA BOD is actively pursuing their new responsibilities. Key accomplishments in the past month have been commissioning a new website for better communication, establishing committees, auditing finances, and reviewing current vendor contracts. Several of the committees have already had charters approved and have started working towards their defined goals. The goals and priorities for the HOA BOD:

- Maintain a community which prioritizes safety for individuals and Foothills Club West property.

- Enable fluid and transparent communication between the Foothills Club West homeowners and the BOD.

- Manage all funds in a fiscally responsible manner for the direct benefit of community maintenance and amenities including regular review of HOA vendor contracts.

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- Strive to implement policies and good governance that will improve quality of life and property values.

- What is the plan to move forward with restoring the golf course? Since housing isn't an option, I'd like to know how it will be funded.

The HOA is not the property owner of the golf course so the BOD cannot independently take direct action to restore the golf course. The BOD is fully committed to assisting the golf course owners in restoring the course per the golf course CC&Rs. We have formed a golf course committee to help develop strategies for enablement of the golf course restoration.

- Thank you for posting the agenda on the site. Will monthly meeting minutes also be posted, explaining actions and decisions made?

- In the new website, how can one access current and past meeting minutes, financials, etc? I see no way to access these documents on the new site.

Yes. A "How-To" will be published to the community. This was also posted on NextDoor. This detail will also be included in the upcoming assessments mailer. On the new Vision Site, the FAQs will speak to this as well and the owner documents have always been in the owner document portal section. They will continue to be there for perpetuity. If the documents cannot be located, please reach out to Vision at ClubWest@wearevision.com.

- I believe the online survey is a great idea. Thanks for doing this! I strongly suggest the board post FCW resident's Q&A's on our community web site. This way everyone is aware of resident's concerns and also see real-time answers to our questions!

Agreed. We plan to do so.

- When will all the dead trees from last summer (and beyond) be replaced in the Pravada subdivision? When trees/plants die, they are never replanted. Subdivision is looking run down and blighted. Landscaping committee??? –

The landscaping committee is aware of this and is currently working to address this.

- Is painting of the perimeter block walls in CW in the budget for this year? So many of the walls and subdivision monuments are looking very weathered. Arch or Landscaping committees??? -

The Infrastructure Committee and Vision Management will be addressing this concern.

- What is the Board's position on allowing people on the golf course property.

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It's not HOA property so we don't have a position. It is private property. Allowing people on the property is the decision of the owners.

- Is it possible to have projects like landscaping, wall replacement, etc announced so that any of us with connections to the industry can provide bidders for this type of work? In addition, is it possible to have the proposals shared in some type of transparent forum? Especially when the costs impact home owners and the Association? Arch or Landscaping committees???

Certainly contact Vision with any recommendations for contractors. All committees, specifically Landscaping, Architecture, and Infrastructure, will report on improvement plans and contract considerations.

- Who can I call for assistance in setting up an account on Wave Browser so I can get on the list to attend meetings in person? This is not easy for a person with limited computer skills. I downloaded the Wave Browser but I can't seem to get logged in. Also, for Zoom meetings, can there be a way to get a closer view of each BOD member? It is difficult to know who is speaking and what they look like.

A new video system will be used on the April 15th. We will try to improve the audio in the future as well. To be added to the in-person list for meetings, homeowners can call or email Vision to be added to the list.