

# Tonto Hills Improvement Association

President: Robyn Baker  
Vice President: Nancy Nelson  
Treasurer: Jennifer LaLiberte  
Secretary: Chris Prentice

## BOARD OF DIRECTORS MEETING MINUTES December 3, 2025 Via Zoom Only

- I. Call to Order 6:33pm
- II. Roll Call
  - A. Present – Robyn Baker, Stacy Holland, Jennifer LaLiberte, Nancy Nelson, Paul O'Connor, Chris Prentice, and David Tappe
  - B. Guests - Sam Brandt, Ann Dichiarria, Richard Grady, Dave and Diana Hutchinson, Nina Kiriazov, Suzy and Steve Meyers, Brad & Christine Nichols, Deb Pagel, Keith Pierce, Doug Roesener, Steve Rensel, Leanne Stolte, Nick & Amber Tilley, Amanda and Ed Wolfe.
- III. Opening Remarks
  - A. Westhoff, et al. vs Rent-Sell, LLC – The appeal remains pending. Additional documents have been filed, and are under consideration by the Appeals Court
  - B. Rent-Sell Real Estate, LLC countersuit vs the THIA, Westhoff, et al. – The discovery and disclosure process continues for the cases, at least until the end of the year.
- IV. Open Forum
  - A. Robyn Baker confirmed to Nick Tilley that there will be another Board meeting before the AGM and requests to add items to the AGM agenda may be submitted at any time. A formal request for AGM agenda items and candidates for the ACC/Board will be going out shortly to all members.
  - B. There was a brief discussion of what it means to be a Firewise community. Nancy Nelson explained that it helps the community to be prepared in the event of a fire with a focus on keeping property clear of brush and putting together a “Go” bag in the event evacuation is required. Hours used to clear the Desert Mountain lot would apply towards our Firewise hours.
- V. Consent Agenda Items
  - A. Acceptance of Meeting Agenda of 12/03/25
  - B. Approval of Meeting Minutes of 10/08/2025

Stacey Holland motioned to accept both consent agenda items; Jennifer LaLiberte 2nd. Motion passed unanimously.
- VI. Reports
  - A. Treasurer  
Jennifer LaLiberte advised the Board has received more transfer fees from property sales than anticipated to date. Legal fees are higher than anticipated. Ms. LaLiberte confirmed we have not made a donation to Christ the Lord Lutheran this year for use of their facilities. Neither the ACC nor the Board has used their facilities since the AGM.
  - B. ACC  
David Tappe reported that at the last ACC meeting, preliminary approvals were granted for lot 75 new garage and lot 195 outdoor addition. Pre-design input was provided on preliminary plans submitted by new owners of lot 38; the entrance has been changed from Blue Wash to Tonto Road.

C. Environmental

Paul O'Connor advised substantial progress has been made on the road project. Dry utility cable relocation continues through the end of the year. Relocation of utility lines is taking longer than expected partially due to ground hardness. Water line work will start in Spring. Road replacement is expected to start in early 2027 and will take approximately 12 months to complete. Contact Mr. O'Connor if you have any questions.

D. Landscaping and Fire Mitigation

Stacy Holland reported no issues with the landscaper who continues to provide monthly service. Dumpsters will be ordered for the end of February.

E. THVFD and Firewise

Nancy Nelson shared there will be a fundraiser at the Spurgin's residence on 2/14/26. The Chili Cookoff raised \$1,500. THVFD will be sending invitations to all members, along with raffle tickets for a chance to win one of several prizes.

F. DWID

Stacy Holland reported that Bob Swan has stepped down as the assessment administrator and a new person has been appointed. Financials are improving and they've reduced the number of past due accounts. Contractors working on the road improvement project broke some water lines and the DWID is still seeking reimbursement for repair bills. The DWID estimates they will need \$10k for standpipes and is asking for the THIA's 2026 budget for standpipes.

VII. Old Business

- A. Weed clearing to create a fire break on Cave Creek Road between Deer Trail Rd. and Old Mine Road and from Old Mine to Quail Lane - Robyn Baker contacted Josh Drews, Director of Operations at Desert Mountain (DM). Mr. Drews advised THVFD can access the lot to clear up to 50% for the removal of invasive weeds. We need to tell DM prior to either residents or the THVFD enter the property for weed clearing. The Board will ask the THVFD to spearhead efforts within the community to clear the land.
- B. The Board is in the process of making updates to the By-laws and Policies and Procedures (P&P). The Board discussed having the records retention schedule as a separate exhibit in the By-laws because it affects several Board positions. Counsel has already reviewed and approved the records retention policy. Board members will continue to work on updates. Chris Prentice will consolidate everyone's changes into a single document before we vote to approve all changes to the By-laws and P&P.
- C. AGM Preparations
  - a. The education room has been reserved at the Christ the Lord Lutheran Church for 3/25/26. After discussion, Nancy Nelson motioned to pay \$225 to the Christ the Lord Lutheran Church for use of their facilities for the 3/25/26 AGM; David Tappe 2<sup>nd</sup>. Motioned passed unanimously.
  - b. The request for ACC/THIA candidates and AGM agenda items will be sent via eblast this year. Members who do not have an email on file will be sent a request via USPS on 12/15/25.
  - c. Legal counsel approved sending the ballots, candidate biographies, and meeting agenda via USPS, while posting other documents (2025 Draft AGM Meeting Minutes, 2026-27 Draft THIA Operating Budget, 2025-26 THIA Operating Budget, 2025-26 THVFD Operating Budget) on tontohills.net. The documents will be sent via eblast as well.

VIII. New Business

- A. Set interest rate for non-payment of annual fees
  - a. Per the THIA governing documents, the Board sets the interest rate for non-payment of annual dues; however, they do not allow charging fees. Jennifer LaLiberte reported

there is one lot for which a lien will need to be filed this year. It costs \$60 to file and an additional \$60 to release lien. We need an interest rate of 30% APR to recover the costs of filing the lien, which is done only after calling and writing the lot owner several times. The 2025 annual dues were due in June and lien hasn't been filed as of 12/3/25. Steve Rensel asked if the statutory rate was checked; Robyn Baker advised the HOA statute regarding doesn't apply to an HIA and based on our low annual assessment, it was necessary to charge a higher rate. Chris Prentice motioned to apply a 30% APR to past due annual dues requiring a lien; Nancy 2nd. Passed unanimously.

B. Standpipes

- a. There is a gap in coverage along Old Mine Road that's concerning to several residents. Nancy Nelson explained in the past, the THVFD and DWID would provide recommendations as to where additional standpipes should be added based on consultation with the National Forest Service. There's a map on the tontohills.net showing this is the last remaining gap. The Board will seek THVFD's advice for exact placement

C. Lot 125 Complaint against lot 195 for construction start without ACC approval or County permits

- a. Construction was immediately stopped as soon as the ACC and Board became aware of this issue. Since work was discontinued and the lot owners were cooperative in seeking appropriate approvals, the ACC did not find the lot owners to be in violation of the DoR's. The ACC issued preliminary design approval for an outdoor addition at their last meeting and the property owners are waiting on permits from the County. Permits and final drawings will be submitted to the ACC when issued. Robyn Baker advised the pool installed about 5 years ago was permitted and lot 195 provided an email confirming the pool was approved by the ACC. The pool and fencing are not within the setback. Lot 195 advised they hired a licensed pool contractor to handle the entire process. Steve Rensel inquired as to where and when those approvals can be seen and was advised the approval would be reflected in the ACC minutes. Mr. Rensel asked lot 195 and/or the ACC to provide copies of permits received for the pool installation. Robyn Baker advised the ACC can't release private communications from property owners, but they had reviewed the documentation provided by lot 195. Mr. Rensel will take it up with the County to find copies of the permits as he wasn't able to find them on-line.

D. Request from lot 125 for all Board and ACC Members to resign

- a. Request was forwarded to all Board and ACC members and none have offered their resignation. Steve Rensel inquired as to why Stacy Holland could continue to serve on the Board after a complaint was filed against her. Robyn Baker explained that since lot 195 immediately stopped construction and sought approvals, they were not found in violation of the By-laws (Article 6, Section 4).

IX. Future Meeting Dates

- A. Next Board meeting will be January 21, 2026

X. Adjournment

Robyn Baker motioned to adjourn the meeting at 7:29pm; Nancy Nelson 2<sup>nd</sup>. Motioned approved unanimously.

Approved 1/21/26

Revision Approved 2/10/26 – Under DWID Report, Bob Swan was the Assessment Administrator, not the Treasurer.

Chris Prentice, Board Secretary