

# Tonto Hills Improvement Association

President: Robyn Baker  
Vice President: Nancy Nelson  
Treasurer: Kathy Kuchta  
Secretary: Chris Prentice

## BOARD OF DIRECTORS MEETING MINUTES- Approved

June 26, 2024 – 6:30 PM

- I. Call to Order – 6:38pm
- II. Roll Call
  - A. Present - Sandra Abbey, Robyn Baker, Don Belousek, Nancy Nelson, and Chris Prentice in person. Brian Richard, Kathy Kuchta, Paul O'Connor and David Tappe via Zoom.
  - B. Guests – Merilee Edwards, Ann DiChiara, and Diana Cole
- III. Opening Remarks
  - A. Westhoff, et al. vs Rent-Sell, LLC litigation
    - i. As noted previously, the judge ruled that the 1961 Amendment to the DoRs is valid and effective. However, the litigation is not finished; one more issue between the Westhoffs and Mr. Rensel needs to be resolved. Accordingly, a status conference will be held to discuss a final resolution of the case.
  - B. Rent-Sell Real Estate, LLC countersuit vs the THIA, Westhoff, et al.
    - i. The counterclaim remains on hold.
- IV. Open Forum – No comments
- V. Consent Agenda Items:
  - A. Acceptance of Meeting Agenda of 06/26/2024
  - B. Approval of Meeting Minutes of 04/03/2024
  - C. Approval of Meeting Minutes of 04/10/2024
  - D. Approval of Executive Session Minutes of 05/16/2024
  - E. Nancy Nelson made a motion to accept all Consent Agenda Items with a note to add the revision date to the 06/26/2024 Meeting Agenda. Robyn Baker 2<sup>nd</sup>.
- VI. Reports
  - A. Treasurer
    - i. Nancy Nelson provided update
  - B. ACC
    - i. David Tappe advised lot 76 approvals are complete
    - ii. A developer made a presentation on possible development of the commercial lots.
  - C. Environmental
    - i. Paul O'Connor provided update on MCDOT road paving project. MCDOT will be removing existing vegetation, landscaping, lighting, rocks, etc. within their right of way (ROW). Property owners should move any landscaping they want to keep before the work starts..
    - ii. A larger ROW clearance will be required in some areas such as blind spots on hills and curves.
    - iii. Discussed setting up a Zoom meeting with MCDOT to address residents' questions about construction easements and road improvements.
    - iv. Ann DiChiara commented that residents should be aware that they can negotiate with MCDOT and don't just have to accept the offer received. Costs will go up over the next 2 years before owners will be able to restore their property.
    - v. Residents can review the project plans at: [Tonto Hills Paving | Maricopa County, AZ](#)
    - vi. Residents can report road issues to MCDOT either on their app or at MCDOT.me

- D. Landscaping and Fire Mitigation
  - i. No update
- E. THVFD
  - i. Firewise – Sandra Abbey noted Rural Metro recently sent postcards to their enrolled members identifying defensible space by zones:
    - Zone 0 – Within 5 feet of home’s foundation: Remove flammable materials. Use ember resistant materials like concrete pathways or stone.
    - Zone 1: within 30 feet of home: Keep tree canopies at least 10 feet from roof lines. Remove grass and other plant materials and ensure porches are ember resistant.
    - Zone 2: Up to 100 feet from home: Remove dead leaves, annual grasses, wood piles and other materials that can be ignited by embers
  - ii. Unimproved lot owners are also able to subscribe to Rural Metro for a reduced fee. Rural Metro will charge unsubscribed property owners for any necessary firefighting services.
  - iii. Fireworks – Sandra advised fireworks are not allowed in TH because of fire restrictions in place; the fire department will be patrolling on the 4<sup>th</sup> of July.
  - iv. Sandra reviewed the THVFD budget; THVFD has purchased a side by side to transport fire personnel and equipment to incidents.
  - v. Welcome to Tonto Hills – Ann DiChiara met with the DWID regarding the delivery of welcome packages to new residents.
- VII. Old Business
  - A. Lot #212B complaint against Lot#230A (3/22/22); Lot #212B complaint against Lot#230A (04/19/22); Lot#215A complaint against Lot#231F, 216, 230A – On Hold
  - B. ACC Addendum A including county requirements on lot clearance and replanting (Lot#200); combine with adding fire safety guidelines.
    - i. Nancy Nelson motioned to approve adding both items to ACC Addendum A. Chris Prentice 2nd
  - C. Complaint Lot#195 against Lot#216, 217, 218, 231F
    - i. No update from Owner since AGM.
  - D. Follow-up with MCDOT regarding no parking signs by Ravens View and on median.
    - i. Nancy Nelson hasn’t received response from MCDOT yet. She will follow up.
  - E. Website Security
    - i. The THIA webmaster has disabled all links to any personal information. This item has been resolved.
- VIII. New Business
  - A. Construction of new barns in community
    - i. Discussion tabled until next meeting due to technical difficulties.
  - B. Road clearing to create a fire break on Cave Creek Road between Deer Trail Rd. and Old Mine Rd.
    - i. There is an area of dry vegetation that Desert Mountain is responsible for maintaining that creates a fire hazard for 6 adjacent TH properties.
    - ii. Merilee Edwards asked if Desert Mountain can either clear the vegetation or allow adjacent TH property owners access to clear.
    - iii. Nancy Nelson will reach out to Desert Mountain. The DWID may have a contact as well.
- IX. Announcements
  - A. Future Meeting Dates
    - i. The next meeting is September 18, 2024 and will be hybrid. Members can attend in person at Christ the Lord Lutheran Church or via Zoom
  - B. Future Board Agenda Items
    - i. None
- X. Adjournment

A. Sandra Abbey motioned to adjourn at 7:43pm. Chris Prentice 2<sup>nd</sup>.

Chris Prentice, Board Secretary  
Approved 09/18/2024