

2/17/10

**Tonto Hills Improvement Association**  
**Meeting Minutes for February Board of Directors**  
**Wednesday, February 17, 2010**

**Board Members Present:** Rick Ersland, Terry Luker, Rick Nelson, Rick Pearson, and Kevin O'Brien

**Board Members Absent:** Ralph Spurgin, Cheryl Kaufman, Lou Frederick and Carol Landauer,

**Guests Present:** Billy Hayes, Mary Pearson and Kirk Landauer

**Special Guest & Presentation:** Lois O'Neill with Carefree Executive Services

Rick Nelson called the meeting to order at 6:34 PM.

**Open Forum**

Guest - Billy Hayes commented on Carefree Executive Services presentation and to be certain they are aware that THIA is not an HOA. Otherwise felt that there services and pricing sounded reasonable

Guest – Kirk Landauer inquired as to a confirmation date of general election ballots being sent to properties owners. Rick Nelson confirmed they were sent Tuesday February 16th

**Approval of January 2010 BOD Meeting Minutes**

Rick Ersland moved that the Board approve the Meeting Minutes with the addition of an amended date of January 20, 2010; Kevin O'Brien confirmed the amended revision would be made. Terry Luker seconded. The motion passed.

**Communication and Reports**

**Treasurers Report**

Terry Luker presented the Treasurers Report. Checking Account balance is \$5263.10 and Money Market Account is \$79,363.97. Rick Ersland moved that the Board approve the Treasurer's Report. Rick Pearson seconded; the motion passed.

**Environment**

There was no report as Cheryl Kaufman was unable to attend.

**Kachina Report**

Kevin O'Brien still to discuss property ownership issues surrounding Kachina with present owner. Rick Nelson added that a Title search has been initiated to discern the titled-position of property/s associated with the Kachina location. A future update will be provided at the AGM

### **Old Business**

Rick Nelson reviewed the response letter from THIA Attorneys, Carpenter & Hazelwood, concerning questions asked by THIA regarding the Association's lien for assessments. The primary opinion is that "when a mortgage holder forecloses by judicial action or by a trustee's sale on a deed of trust, all subordinate liens on these properties are extinguished". However, "the former owner is personally and contractually liable for the pre-foreclosure amounts owed to the Association" and "The former owner can be sued to collect assessments and related charges owed to the Association". Rick Erslund moved that THIA not pursue these funds any further based upon legal advisement from council. Kevin O'Brien seconded; the motion passed

Rick Erslund moved to have the existing lien removed from Tonto Hills (Lot 31), based upon the preceding legal advisement from council. Kevin O'Brien seconded; the motion passed

### **New Business**

Rick Nelson inquired as to the actual recipient location of emails sent to the address info@tontohills.org. Rick Pearson confirmed he monitored the activity under this address. Rick Nelson subsequently presented a related email from a title company, requesting to be made aware of "any other legal entities connected to a Tonto Hills property, other than THIA"? It was agreed that we should include the DWID in our response

There was general discussion on the DWID and recent mailer sent to property owners

Rick Nelson confirmed Tonto Hills will again have waste dumpsters on site this year, probably to begin in late March or early April. These dumpsters provide property owners with a convenient means of clearing & disposing of unwanted natural growth or debris. **ALERT:** With the amount of rainfall this year, we can expect an inordinate amount of property undergrowth, which can become a fire-danger as temperatures warm up. Use of the dumpsters for "clearing this fuel away" will make a big difference in ensuring the safety of our community

There was a review 2010 AGM Agenda and areas to be covered in status reports

### **Adjournment**

Rick Pearson moved for adjournment; Rick Erslund seconded. At 7:50 the motion passed; the meeting was adjourned.