

March 25, 2011

**Tonto Hills Improvement Association**  
**Annual General Meeting March 24, 2011 Minutes**

Rick Nelson, President, called the meeting to order at 7:00 PM.

Board Members present: Rick Nelson, Cheryl Kaufman, Ann DiChiara, Rick Pearson, Carol Landauer and Ralph Spurgin. Board Members absent: Martha Stock.

Rick Nelson introduced the Board of Directors. He requested any outstanding ballots be submitted. He thanked members of the Board of Directors (BoD), the Architectural Control Committee (ACC), and the Tonto Hills Volunteer Fire Department (THVFD) for the time and work done to benefit the community. He also thanked Lou Frederick and Kirk Landauer for their work during the recent freezes on behalf of the community and the Domestic Water Improvement District (DWID). He thanked Kirk Landauer for his maintenance and supervision of the front entrance.

Rick Nelson recapped key activities in the past year. These included:

- Development and approval of THIA policies and procedures.
- Development and approval of refinements to the ACC procedures. These have been incorporated as an addendum to the by-laws.
- Resolution of the right-of way (ROW) along Cave Creek Rd. from south of Deer Trail to the entrance into Tonto Hills. Desert Mountain properties deeded the ROW to the Desert Mountain HOA with a deed restriction that nothing can be built on the property.
- Monitoring of the Gold Hill mining operation. A couple years ago a company ran assays. They made a request to the Forest Service to improve the roadway. We objected and have renewed our objection. There has been no recent activity.
- Contacted Supervisor Stapley, the Arizona Corporation Commission and New Path/Crown Castle regarding the faux cactus cell installations.

The procedures referenced above are on the web site. Rick Nelson made the final call for ballots.

**Minutes**

Cheryl Kaufman requested an amendment to the 2010 Annual General Meeting (AGM) minutes. In point three, the location of the dumpsters should read "HoHokam Road".

Tom Markusen moved that the minutes be approved with the amendment Cheryl Kaufman offered. Cheryl Kaufman seconded the motion; the motion passed

### **Treasurer's Report**

Rick Pearson explained the Treasurer's Report that had been passed out. Total assets are \$96,639.

Rick updated that we had contracted with Carefree Executive Services (CES) to do the Treasurer *leg work* e.g. writing checks, balancing the bank statement. The Treasurer will oversee this work. He explained that last year's assessment notices were late due to the transition of some duties to CES. This year they should go out on May 1.

Rick said that we'll e-mail assessment notices to members whose e-mails we have. If you prefer assessments via regular mail, let Rick Pearson know.

Bob Swan moved and Tom Markusen seconded that we approve the Treasurer's Report. The motion passed.

### **Reports**

#### **ACC**

The ACC Chairman was not in attendance. Mike Rockwell reported that it had been a slow year. In many months no meeting was required.

#### **THVFD**

Robert Kroger reported that THVD had responded to three medical calls, two illegal burns, and two snake calls. For the second consecutive year we had no brush or house fires. Firefighters were CPR re-certified, continued training with Rural Metro and learned the DWID water system. THVFD renewed participation in the Adopt-a-Highway program on Cave Creek Rd.

THVFD Auxiliary held three fund-raising events. The next is a BBQ planned for May 21. Raffle tickets are available. See Ann DiChiara.

On February 24 THVFD purchased the Kachina and lot for \$7,000. The purchase was made with monies specifically donated for that purpose. On March 12 THVFD and 15 residents

cleaned up the lot. Lighting will be restored. The lot will be used for monthly drills and future fundraisers.

Lot 153, previously donated to THVFD, will be listed for sale at \$130,000. THVFD hopes to use some of the funds from this sale to purchase lot 219, which sits directly north of the Kachina lot. Lot 219 will be auctioned by Bank of America on April 15. If THVFD is successful in acquiring lot 219, it will be used to house fire trucks. Perhaps someday THVFD can create a meeting place for THIA by converting or adding on to the existing structures.

### **Environmental**

Cheryl Kaufman reported that the first dumpster will arrive on Tuesday, March 29 between noon and 4 PM. Approximately every five days that dumpster will be picked up and replaced with an empty one. We'll use between five and seven dumpsters. Cheryl will post the bulletin board and website when delivery of the first and the last dumpster are anticipated.

Cheryl reminded members to chop up and tamp down their yard debris. The dumpsters may not be used for anything other than yard debris. There are onerous penalties if the dumpster is overflowing or if the dumpster has "foreign" materials in it. Cheryl requested that members let her know if they see that the dumpster is full.

Robert Kroger recommends members clear their lots of debris up to 50-70 feet from their structures.

### **DWID**

Rick Nelson re-iterated the DWID is a separate entity from the THIA. Bob Swan, DWID Chairman, reported that the community completed the purchase of the DWID on 12/17/10. The DWID is considered a governmental entity and is not under the jurisdiction of the Arizona Corporation Commission.

The water rates are the same as they have been for a number of years. If a rate increase is ever needed, DWID management will hold a public community meeting. Lou Frederick and Kirk Landauer are superintendents for the DWID.

### **Election Count**

Lois O'Neil from CES validated and counted the ballots. The following were elected to the THIA BoD: Tom Caglioti, Ann DiChiara, Cheryl Kaufman, Carol Landauer, Charlene Lavinger, Rick Leach, Rick Mocney, Kevin O'Brien and Ralph Spurgin.

The following were elected to the ACC: Mark LaLiberte, Kirk Landauer, Rick Patterson, Mike Rockwell, and Robert Kroger. Steve Rensel and Eric Luker tied for the final opening. Cheryl Kaufman moved and Rick Pearson seconded a motion that the incoming BoD deal with the tie issue. The motion passed.

## **Old and New Business**

### **Dust Control Options and Road Issues**

Cheryl Kaufman reported the County had tested applying a dust palliative. The test was successful. Nevertheless, since the cost for each one quarter mile is \$12K for the material only, plus the cost of application, the County has no plans for further applications.

Rick Nelson explained that we have eight miles of roads. The cost to design, grade and pave the roads would be almost \$6MM. The entire budget for the County to convert dirt roads to paved ones is only \$5 MM. We can't expect the roads to be paved anytime soon. Ralph Spurgin commented that the survey done a few years ago showed the community almost evenly split on the desirability of paving question.

The only practical dust control option is driving more slowly. At Cheryl Kaufman's request the County installed eight 15 MPH signs. One went missing. She has requested that one be replaced and an additional four be installed. The County is evaluating that request. Cheryl has a diagram showing the existing and requested placements.

Cheryl has called the school system and Waste Management requesting slower driving. She will also talk to the other waste collection company.

For now, Drive Slowly. Encourage your neighbors to do the same.

### **Distributed Antenna Systems (DAS)-Cell Towers**

Rick Nelson explained that the BofD is not opposed to these systems. They can improve cell service within Tonto Hills. We objected that we were treated differently than nearby communities.

The Arizona Corporation Commission gave NewPath/Crown Castle permission to operate with the provision that they involve communities. They did this except for those in unincorporated Maricopa County.

Ralph Spurgin explained the legal background. In unincorporated Maricopa County companies can install DAS simply by getting a permit from the Maricopa County Department of Transportation (MC DOT). The FCC has ruled there is no health threat. The Courts have ruled that communities can have a say on aesthetics and location but cannot forbid installation.

BoD members and Charlie Civer have met with County Supervisor Stapley. We have written two letters to Supervisor Stapley and one to the Arizona Corporation Commission. We have met with NewPath/Crown Castle. They promised to consult with us in the future. We're awaiting written confirmation of this promise. No added installations are expected for at least eighteen months. We are seeking a second meeting with Supervisor Stapley.

The letters and meeting notes are posted on the web site. Also included is information from NewPath/Crown Castle on radio frequency levels before and after installation and on the impact on property values.

### **Kachina**

Robert Kroger had previously covered this topic. Ann DiChiara asked members to call her if they have small/medium sized cactus to donate for the kachina area re-vegetation.

### **Membership Forum**

One member asked the BoD to investigate potential solutions to rain wetting mail in the mail boxes, especially on the south side. The next BoD will investigate.

Bob Swan reported that DWID will install three pressure relief valves (PRV). The first is scheduled for March 29 on Blue Wash. Members on Blue Wash will be without water for most of the day.

The DWID will install another PRV on Manana in about two weeks and the last one on Old Mine in another two weeks. Lou Frederick of Kirk Landauer will notify affected members near the shut off day.

The DWID will send out the next assessment bills on May 1 for those who have not paid in full. As previously, members will have the option to pay in installments or pay in full

Rick Nelson was presented with a plaque and gavel in recognition of his five years of leadership as President of the THIA.

Check our website **regularly** for all Tonto Hills' community information and activities.

### **Adjournment**

At 8:45 PM Tom Markusen moved and Ann DiChiara seconded that we adjourn. The motion passed.