

# Tonto Hills Improvement Association

President: Michael Jans  
Vice President: Nancy Nelson  
Treasurer: Kathleen Kuchta  
Secretary: Diana Cole

## Board of Directors Special Meeting Minutes - DRAFT Monday, October 17, 2022 6:30

This meeting was conducted via Zoom webinar.

- I. Call to Order: 6:32 p.m.
- II. Roll Call
  - A. Present – Robyn Baker, Diana Cole, Ann Dichiara, Jim Gibbs, Jacki Hoagland, Michael Jans, Kathleen Kuchta, Nancy Nelson, Bud Tolp
  - B. Guests – 10 Tonto Hills owners
- III. Open Forum
  - A. Nick Tilley read a statement regarding the pending complaint from the ACC on his Lot#54 build claiming discrimination on the part of the ACC and Board, and discussed a binder presented to the ACC with many instances of lot owners not complying with the DofR's. Paragraph 9 of the Dof R's requires a 50 foot setback, and this is the issue that Nick Tilley is contesting on Lot#54.
  - B. Steve Rensel asked what the State Farm Insurance policy limits are, and what type of policy the THIA carries. Kathy Kuchta will address at next regular meeting.
  - C. Steve also asked the due date to submit complaints. Diana Cole responded that complaints must be submitted in writing with a signature or via email before the agenda is approved at each board meeting.
- IV. Consent Agenda Items:
  - A. Acceptance of Meeting Agenda of 10/17/22
    - i. Nancy Nelson made a motion to accept the agenda. Kathy Kuchta – 2<sup>nd</sup>. The motion passed.
- V. New Business
  - A. ACC referral to Board for action on Lot#54 regarding D of R's Paragraph 1 - "No structure of any kind shall be commenced, placed or architecturally modified in Tonto Hills until the design, location, and the kind of materials to be used therein have been approved by a majority of the Architectural Control Committee of the Tonto Hills Improvement Association, defined below."
    - i. Kathy Kuchta made a request for more information on the binder given to the ACC by Nick Tilley. Bud Tolp stated that the information in the binder regarding the lots in question is not currently verified and used estimates rather than accurate measurements. Nancy Nelson requested copies of the binder be emailed to the board members by Nick Tilley.
    - ii. Nancy Nelson reviewed a history of other corner lots meeting the 50 foot setback requirement and stated that Mr. Tilley enforced the 50 foot setback requirement when he was a member of the ACC.

- iii. Nick Tilley stated that other community members, including a board member, are not currently in compliance with the 50 foot setback. Rick Nelson stated that Mr. Tilley was asked at the last ACC meeting if he wished to submit a formal complaint regarding his concerns, and he declined.
- iv. Diana Cole made a motion that the THIA Board sends a letter to Mr. Tilley requesting that he cease and desist construction on Lot#54 until a set of plans has been approved by the ACC as required by Paragraph #1 of the Dof R's. Ann DiChiara-2<sup>nd</sup>.
  - a. Jim Gibbs offered an amendment to the motion to include copies of the letter going to Mr. Tilley's builder, lender, and the county.
  - b. The amendment was accepted. The amended motion passed.

VI. Announcements

- A. The next board meeting is 11/2/22 via Zoom.
  - B. Future Board Agenda Items – followup on insurance limits. Nick Tilley requested an agenda item for the AGM and will forward to Diana Cole to added to the next AGM agenda.
- VII. Adjournment– Robyn Baker made a motion to adjourn. Ann DiChiara-2<sup>nd</sup>. The motion passed at 7:30PM.

11/2/2022 Diana Cole

Diana Cole, Secretary