

# Tonto Hills Improvement Association

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

## Board of Directors Meeting Minutes Tuesday, February 16, 2022 6:30

Due to the pandemic, this meeting was conducted via Zoom webinar.

- I. Call to Order: 6:33 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 – 9 Tonto Hills owners attended all via ZOOM
- III. Open Forum - None
- IV. Consent Agenda Items:
  - A. Acceptance of Meeting Agenda of 2/16/22
    - i. Nancy Nelson made a motion to accept the agenda. Kathy Kuchta – 2<sup>nd</sup>. The motion passed.
  - B. Approval of Meeting Minutes of 1/12/21
    - i. Ann DiChiara made a motion to accept. Nancy Nelson– 2<sup>nd</sup>. The motion passed.
  - C. Approval of Executive Session Minutes of 1/12/21
    - i. Ann DiChiara made a motion to accept. Nancy Nelson – 2<sup>nd</sup>. The motion passed
- V. Reports
  - A. Treasurer's
    - i. Kathleen Kuchta gave the Treasurer's report.
    - ii. Changes to the proposed budget include a reduction of accounting fees from \$7300 to \$1800, a new line item for bookkeeping for assessment fees of \$1500, dumpster budget doubled to \$10,000, and THVFD request reduced from \$12,000 to \$8,000.
  - B. ACC
    - i. Bud Tolp reported that he has written amendments to the Addendum A to the Bylaws of THIA and will send to ACC members for preliminary review prior to the AGM.
    - ii. Lot 136 has been contacted via email, phone, and in person to cease construction pending ACC design and review process with no response. Robyn Baker made a motion that Michael Jans send a certified letter from the board. Nancy Nelson – 2<sup>nd</sup>. The motion passed.
  - C. Environmental and Road Safety
    - i. Robyn Baker reviewed recent communications with Casey Miller. She has submitted a new, more specific request for road paving plans from the county. She has also requested a copy of the current standards that the county is using to design Tonto Hills' roads, since the county states that they have changed since Deer Trail was paved.
    - ii. The county is doing a speed study in Tonto Hills. Robyn has requested any previously conducted volume studies.
    - iii. Robyn Baker made a motion to form a special committee to study paving plans and work with MCDOT in order to make recommendations to the board. Ann DiChiara – 2<sup>nd</sup>. The motion passed.

- a. The committee will include Michael Jans, Kathy Kuchta, Nancy Nelson, Robyn Baker, Jeff Frazee, and Charlie Civer.
- iv. Guest Rick Nelson from the DWID explained potential costs that the community and/or DWID might incur from moving water lines to the homes. Over the years, the roads have been scraped reducing the depth of water lines and the lines will need to be buried deeper prior to paving. The county will cover the cost of the mainlines and fire hydrants, but the DWID and/or community will have to cover the cost from the mainline to the lots. The cost for this when Deer Trail was paved was \$16,000. A very rough unofficial estimate is \$35,000. The DWID is in constant contact with MCDOT to get additional information.

D. Landscaping and Fire Mitigation

- i. Jim Gibbs requested residents to not drive over the median on Old Mine Rd.
- ii. Jim reported that the 3<sup>rd</sup> dumpster was in place. They are delivered weekly on Monday, and the weekends are a good time to fill them up. Jim emphasized the importance of breaking limbs into 2-3 foot lengths so that the dumpster can be fully utilized. Residents are NOT required to pack down the debris in the dumpsters.

E. THVFD and Firewise

- i. Ann DiChiara reported that only 2 firefighters showed up to the last training. The THVFD is in great need of male or female volunteers. Training is the 2<sup>nd</sup> Saturday of every month starting between 7-9am.
- ii. The THVFD fights brush fires only, but it has been critical to preventing the spread of fires in Tonto Hills in the past. Always call 911 first for any fire.
- iii. To meet a Firewise goal, the THVFD will be inspecting street address numbers for visibility both during the day and at night.

F. Welcome Wagon

- i. Nothing to report

VI. Unfinished Business

A. Commercial Lots next steps recommendations

- i. The Board is awaiting review of any court decisions published relative to Westhoff, et al. vs Rent-Sell Real Estate LLC that may impact the Tonto Hills governing documents.

B. Lot #126 complaint against Lot#125

- i. Resolution has not been achieved between the two lot owners.
- ii. Chapter 1102.9.5 of the Maricopa County Zoning Regulations states that "Not more than three unregistered or inoperable motor vehicles shall be stored on any lot or parcel of land within any rural or residential zoning district, and such unregistered or inoperable vehicles if stored out of doors shall be stored in other than the required front yard and such that it is visually screened by a solid wall or fence from any public or private street right-of-way unless stored within an attached carport. Such storage shall maintain a five (5) foot clear path around any structures".
- iii. Bud Tolp made a motion that the THIA Board 1) notify the county of a potential violation of code and 2) concurrently notify the owner of Lot#125 by certified mail and email that he has 30 days to outline the steps that he will take to bring his lot into compliance with the DofR's with a specific timeline and to respond to the board with this plan in writing or the board will take additional action. Robyn Baker – 2<sup>nd</sup>. The motion passed.

- C. Desert Mountain's notice to Lot #77 regarding building a fence between the two communities.
    - i. Nancy Nelson reported that due to pushback from both Desert Mountain and Tonto Hills residents and the board, the fence will not be built. The "buffer zone" between the communities will be surveyed by Desert Mountain.
    - ii. The original document recording the buffer zone is still not available, only the addendum which was provided by the owner of Lot#77. Nancy Nelson will continue to research.
  - D. AGM Preparation
    - i. The AGM mailing has gone out.
    - ii. Kathy Kuchta will receive the final certified results from Foothills Accounting to present at the AGM. No walk in ballots will be accepted by Foothills Accounting.
- VII. New Business
- A. Dumpsters and Insurance Update
    - i. Kathy Kuchta spoke with State Farm and Tonto Hills has 3 kinds of liability insurance: \$5,000 medical liability per person per occurrence, \$2 million Business liability per occurrence and \$4 million per policy term, \$1 million for officers and directors per occurrence for each member. We also have \$36,000 for buildings.
    - ii. The question came up related to packing down the dumpsters and potential injury. Community members are NOT required to pack the dumpsters.
  - B. Complaint from Lot #108 against Lot#230A
    - i. Robyn Baker made a motion that as lot #230A is in violation of sections 17e and 19 of the DofR's, and since a formal written complaint was received, that the board send the owner of Lot#230A an email and certified letter that he has 30 days to remove the pile of dead brush on his lot. Nancy Nelson- 2<sup>nd</sup>. The motion passed.
    - ii. Ann DiChiara also stated that the debris is a serious fire hazard on the lot owned by the Captain of the THVFD.
- VIII. Announcements
- A. The next board meeting is TBD pending the outcome of the AGM election.
  - B. Future Board Agenda Items – none
- IX. Adjournment– Ann DiChiara made a motion that the board adjourn to Executive Session under Section 10.0 Reason #1 of Tonto Hills Bylaws at 8:24 PM. Nancy Nelson – 2<sup>nd</sup>. The motion passed.

Diana Cole 4/5/2022

Diana Cole, Secretary