

# Tonto Hills Improvement Association

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

## Board of Directors Meeting Minutes - DRAFT Tuesday September 20, 2022 6:30

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,
  - B. Absent - Bud Tolp
  - C. Guests – 18 Tonto Hills owners
- III. Opening Remarks
  - A. Robyn Baker reported that oral arguments for the two motions for summary judgment in the Westhoff, et al. vs Rent-Sell, LLC litigation are scheduled for the end of this week and trial is scheduled for January, should it be necessary.
  - B. In addition, the THIA is preparing a response to the counter-claim filed against the THIA and Westhoff, et al. by Rent-Sell Real Estate, LLC. This claim is being litigated by an attorney appointed by THIA's insurance carrier, State Farm.
- IV. Open Forum
  - A. Robert Tattle asked if copies of meeting recordings are available as they might be of interest to parties in litigation. Michael Jans replied that the board has provided attorneys with thousands of documents in discovery requiring a substantial amount of volunteer hours and met every request that has been made. Beyond that he would defer to council regarding release of recordings should a request be made.
- V. Consent Agenda Items:
  - A. Acceptance of Meeting Agenda of 9/20/22
    - i. Ann DiChiara made a motion to accept the agenda. Nancy Nelson – 2<sup>nd</sup>. The motion passed.
  - B. Approval of Meeting Minutes of 8/23/22
    - i. Robyn Baker made a motion to accept. Kathy Kuchta – 2<sup>nd</sup>. The motion passed.
  - C. Approval of Executive Session Minutes of 8/23/22
    - i. Nancy Nelson made a motion to accept. Kathy Kuchta – 2<sup>nd</sup>. The motion passed.
- VI. Reports
  - A. Treasurer's
    - i. Kathy Kuchta gave the Treasurer's Report as of August, 2022
      - a. Legal expenses for 2022/2023 fiscal yd. are \$16,616 which is the only expense significantly over budget for our first quarter.
  - B. ACC
    - i. There was no meeting last month or update to the Addendum A revisions.

- C. Environmental and Road Safety
  - i. Robyn Baker reported that the MCDOT Notify Me app seems to work well as all requests for road clearance have been handled quickly.
  - ii. There will be nothing new on the roads until early next year.
- D. Landscaping and Fire Mitigation
  - i. Jim Gibbs reported people appear to be clearing their properties. Also the Tonto Hills the entrance is looking good.
- E. THVFD and Firewise
  - i. Ann DiChiara reported that the THVFD board is developing the 2023 budget.
  - ii. The next THVFD meeting is 10/8/22.
  - iii. People are encouraged to clear 30 feet around their homes due to all the recent rain and regrowth.
  - iv. Keep this number for Rural Metro non- emergencies like snake removal – **480-945-6311**. This service is free if you are a subscribed with Rural Metro.
  - v. There will be CPR training in October. Contact Ann or Nancy if you are interested.
- F. Welcome Wagon
  - i. Nothing to report.
- VII. Unfinished Business
  - A. D of R Committee Update
    - i. Robyn Baker reported that 14 Tonto Hills members have volunteered to either be actively on the committee or be a reviewer. The first meeting was held this month but there was a poor turn-out.
    - ii. Rick Nelson will be leading the group going forward.
    - iii. 2<sup>nd</sup> meeting will be held beginning of October.
  - B. Lot #126 complaint against Lot#125 for vehicles
    - i. Michael Jans reported that Michael Ordahl, Code Compliance Officer, Maricopa County Planning & Development Department has not yet completed site inspection. However, if the lot does not meet guidelines, fines will be assessed.
    - ii. A public hearing will be held on Nov. 22 at 9am. The public can attend at 301 W. Jefferson St, Suite 170, Phoenix, AZ 85003. For more info contact Michael Ordahl at 602-723-5258 or michael.ordahl@maricopa.gov.
  - C. Lot #108 complaint against Lot#230A; Lot #212B complaint against Lot#230A dated 3/22/22; Lot #212B complaint against Lot#230A dated 4/19/22; Lot #215A complaint against Lot#231F, 216, 230A, etc.
    - i. Michael Jans will send a follow-up letter to Mr. Rensel as required by the THIA Bylaws Article 6 Section 4.
  - D. Lot#216 complaint against Lot#215A and Lot#188 complaint against Lot#215A
    - i. The construction materials on Lot#215A have been removed.
    - ii. This complaint is resolved and closed.

- E. Standpipe update
  - i. Rick Nelson of the DWID reported the DWID voted to accelerate standpipe installation.
  - ii. Jeff Frazey, Superintendent, believes 4-6 will be installed before the end of the THIA's fiscal year.
  - iii. Rick Holasek is geolocating placement to optimize coverage, but Hohokam is expected to be done first.
- F. Lot#199 – this discussion was reopened by Michael Jans and Robert Tattle regarding the portable toilet.
  - i. ACC has been asked to verify that this is not a violation of the length of time allowable for a portable toilet in front of a lot under construction.
  - ii. Michael Jans will reach out to Lot#199 owners to see how long the toilet is expected to be there.

VIII. New Business - NONE

IX. Announcements

- A. The next board meeting is 11/2/22 via Zoom.
  - B. Future Board Agenda Items – none
- X. Adjournment– Michael Jans adjourned the meeting to Executive Session under Section 10.0 Reasons #1 and #2 of Tonto Hills Bylaws at 7:27 PM.

11/2/2022 Diana Cole

Diana Cole, Secretary