

Tonto Hills Improvement Association

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

Board of Directors Special Meeting Minutes Tuesday, January 24, 2023 6:30

This meeting was conducted via Zoom webinar.

- I. Call to Order: 6:36 p.m.
- II. Roll Call
 - A. Present – Robyn Baker, Diana Cole, Jim Gibbs, Jacki Hoagland, Kathleen Kuchta, Nancy Nelson, Bud Tolp
 - B. Guests – 9 Tonto Hills owners
- III. Open Forum
 - A. None
- IV. Unfinished/New Business
 - A. DofR Survey results
 - i. Nancy Nelson presented the results of the survey (see attached). There were 75 responses as of 1/22 at 6:15.
 - ii. One key issue from the results that arose was the need to be thoroughly communicative with the community and allow adequate time for discussion and feedback prior to proposing any DofR changes.
 - B. Possible AGM Ballot measures were discussed
 - i. Question 1 regarding corner lot setbacks
 - a. This question was the most evenly divided between Agrees and Disagrees, at 58% agree and 42% disagree.
 - b. Currently of the 38 corner lots in Tonto Hills, all but 10 have had homes built on them.
 - ii. Question 2 regarding changing the vote threshold for approving changes to the DofR's
 - a. The spread of Agree to Disagree was approximately 70% agree and 30% disagree.
 - b. Conducting community Town Hall meetings was discussed. Also board members expressed concern regarding the potential ramifications if questions 1 and 2 are challenged, as THIA could be sucked in to more litigation.
 - iii. Question 3 regarding allowing 'household pets'
 - a. The board consensus was that dogs and cats have been allowed despite not being addressed in the current DofR's.

- b. The survey results were over 90% in favor of changing the DofR to include household pets. There was a discussion among the board members of what constitutes a household pet.
 - iv. Question 4 regarding working from home.
 - a. It was acknowledged that working from home (telecommuting) is an accepted practice today and was not a consideration when the DofR's were originally written.
 - b. Survey results were approximately 86% in favor of changing the DofR's. Some residents and board members expressed concerns about allowing home based businesses that would allow client visits and increased traffic.
 - c. Nancy Nelson made a motion to vote on Questions 3 and 4 at the AGM. Ann DiChiara- 2nd. The board discussed needing modification of the language. Due to ballot mailing for the AGM taking place in about 3 weeks, and the need to maximize communication with the community regarding potential DofR changes, there was concern that there was not sufficient time before mailing the ballot. The motion failed 8-0.
 - d. The consensus was that these ballot measures would be added to the agenda when the new board convenes in March/April.
 - v. Question 5 regarding tools in the DofR's for enforcement of a violation
 - a. Survey results were 89% in favor of changing the DofR's to allow binding arbitration.
 - b. There was a discussion on using our other governing documents to clarify best practices in lieu of a DofR change. Mediation and binding arbitration were discussed. There was also a comment that our current DofR's allow the board to recommend binding arbitration even if it isn't clearly stated in the document.
 - c. Diana Cole made a motion to recommend to the new board that they review the governing documents including Bylaws to bring together and enhance procedures and outline steps to be taken for violations or disputes that would occur prior to litigation. Ann DiChiara- 2nd. The motion passed.
- V. Announcements
 - A. The next regular board meeting is 2/16/23 at 6:30PM via Zoom.
 - B. Future Board Agenda Items – see minutes
- VI. Adjournment–
 - A. Nancy Nelson adjourned the meeting at 7:39 PM.

Diana Cole Approved 2-16-23

Diana Cole, Secretary

