

Tonto Hills Improvement Association

President: Robyn Baker
Vice President: Nancy Nelson
Treasurer: Kathleen Kuchta
Secretary: Diana Cole

Board of Directors Meeting Minutes December 5, 2023 6:30

This meeting was conducted via Zoom webinar.

- I. Call to Order: 6:32 p.m.
- II. Roll Call
 - A. Present – Sandra Abbey, Robyn Baker, Diana Cole, Jim Gibbs, Kathleen Kuchta, Nancy Nelson, Paul O'Connor, Chris Prentice, David Tappe
 - B. Guests – 5 Tonto Hills owners
- III. Opening Remarks
 - A. Westhoff, et al. v. Rent-Sell, LLC:
 - i. There has not been any activity on this matter since the last update at September's Board meeting. The trial remains set to begin on April 29, 2024, scheduled to last four days.
 - B. Rent-Sell, LLC v. THIA, et al. (Counterclaim):
 - i. The counterclaim against THIA by Rent-Sell remains on hold pending resolution of the underlying case.
- IV. Open Forum - None
- V. Consent Agenda Items:
 - A. Acceptance of Meeting Agenda of 12/5/23
 - B. Approval of Meeting Minutes of 9/12/23
 - C. Approval of Executive Session Meeting Minutes of 9/12/23
 - D. Approval of Executive Session Meeting Minutes of 9/25/23
 - E. Nancy Nelson made a motion to accept all items. Sandra Abbey-2nd. The motion passed.
- VI. Reports
 - A. Treasurer's
 - i. Kathy Kuchta gave the Treasurer's Report through August 2023
 - a. There is \$45708 in the Chase Checking account and \$89,437 in the Savings account.
 - ii. Assessments paid to date in the amount of \$52425 plus \$1,050 transfer fees
 - iii. YTD Legal is \$7821 vs \$6667 budgeted.
 - B. ACC
 - i. David Tappe gave the ACC report.
 - a. Pre-design review – Lot#58, #165, #54
 - b. Preliminary Design Review – Lot #35, #95, #212D (fire station shed). #76 waiting for final plans
 - c. Lot #212B has not yet submitted their timeline for completing work
 - C. Environmental and Road Safety

- i. Paul O'Connor presented the Environmental Report.
- ii. Acquisition Services has ended their sub-contract with the county and the county is getting information from them.
- iii. Road is expected to be completed 1/2026
- iv. There is no design timeline or bid date available.

D. Landscaping and Fire Mitigation

- i. Area around Kachina was cleared as part of fire mitigation.

E. THVFD and Firewise

- i. Nancy Nelson reported that over 6,000 hours in yard clean up and fire mitigation have been reported. Please report all hours to fire@tontohills.net. Last year a total of 8,000 hours was reported.
- ii. Sandra Abbey reported the THVFD fundraiser raised \$31, 747.
- iii. The annual Toys for Tots drive will be collecting toys at the firehouse on Saturday to give to Rural Metro for the drive.
- iv. A Chili Cook-off is planned for 2/3/24

F. Welcome Wagon

- i. Nothing to report

VII. Unfinished Business

- A. 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. These complaints are on hold from further board action pending the outcome of the Westhoff, et al. v Rent-Sell, LLC lawsuit.
- B. Review of Governing Documents to bring together and enhance procedures and outline steps to be taken for violations or disputes that would occur prior to litigation.
 - i. Nancy Nelson reported that the Policy and Procedure update is still in process. It will go out to the Board for additional changes and review.
 - ii. The most important practice requires business meetings to follow the approved agenda using 'Roberts Rules of Order' when making motions for discussion.

VIII. New Business

- A. Meeting Minutes Training Session
 - i. Nancy Nelson reported some best practices that are recommended. A training session will take place for new Board and ACC officers.
- B. Assertion that Lot#64 as board member voted on approval of Lot #54 plans while in violation of Policies and Procedures
 - i. Diana Cole reported that she researched the minutes of the pertinent meetings and found NO overlap in the timelines. The votes on Lot #54 took place on 10/17/22 and 12/7/22. The written complaint on Lot #64 came in on 12/31/22 and was dismissed on 1/10/23, therefore there was no overlap. All these minutes are available on tontohills.net.

- ii. Procedures for the Board and ACC to follow should a Board or ACC member be found in violation are #15 and #15.1 of the THIA Policies and Procedures. These are also available to view on tontohills.net.
- iii. It was also requested that going forward, prior to approaching the Board, the interested parties research our historical minutes and governing documents prior to raising an issue at the board meeting. In addition, and in the spirit of neighborliness, the board always encourages the parties to discuss things first to hopefully resolve issues and get the correct information.

C. AGM Prep

- i. Diana Cole reported that the AGM is scheduled for 3/27/2024 at Christ the Lord Church in the Education Room.
- ii. Nancy Nelson made a motion to approve the announcement letter. Chris Prentice-2nd. The motion passed.
- iii. Nancy Nelson agreed to send out the announcement letter.

IX. Announcements

- A. Future Board Agenda Items – AGM prep
- B. Next Meeting – February 6, 2024, at 6:30 PM

X. Adjournment–

- A. Diana Cole made a motion to adjourn. Nancy Nelson- 2nd. The motion passed.

 Diana Cole 2/6/24

Diana Cole, Secretary