

Tonto Hills Improvement Association

President: _____

Vice President: Nancy Nelson

Treasurer: Kathleen Kuchta

Secretary: Diana Cole

2023 Annual General Meeting Minutes

Time: March 22, 2023 6:32 PM

Location: The meeting was held at Christ the Lord Lutheran Church and via Zoom

Introductions – Nancy Nelson

- Members present: Robyn Baker, Diana Cole, Ann Dichiara, Jim Gibbs, Jacki Hoagland, Kathleen Kuchta, Nancy Nelson
- Members absent: Bud Tolp
- 32 community members attended in person and 12 members attended via Zoom

Opening Comments – Nancy Nelson

- Nancy thanked neighborhood volunteers:
 - Steve Woods of Tech4Life for the loan of AV equipment and technical support
 - Sal DiChiara, Sue Kolb, Terry Luker, Rick Nelson, Florence O'Connor, and Carol Stedman for helping with updating membership data and numerous other Tonto Hills activities
 - Robyn Baker, Sandra Abbey, Tom Cagliota, Mary Delaney, Phil Kaufman, Glen Kerr, Tara Laman, KT Lane, Rick Nelson, Paul O'Connor, Christine Prentice, Steve Rensel, David Tappe, and Nick Tilley who worked on the DofR committee
- Nancy thanked Board members retiring from service:
 - Michael Jans who served as President and Board member
 - Ann DiChiara who served THIA more than 20 years as Vice-President, Secretary, Treasurer and THVFD liaison.
 - Jacki Hoagland who served 11 years continuously most recently as chair of the Welcome Wagon and past liaison to the ACC
 - Bud Tolp who served 6 years on the THIA board and ACC as well as serving as Board president for 3 years and ACC chair
- Nancy also thanked current Board members Robyn Baker, Diana Cole, Jim Gibbs and Kathy Kuchta, and, ACC members Bud Tolp (chair) Robyn Baker, Jim Gibbs, Mark La Liberte, Rick Nelson (secretary), and Gil Steadman.
- Nancy reviewed the Board's accomplishments including:
 - Represented the interests of the THIA by supporting our Governing Documents in recent litigation
 - Updated the Bylaws by defining a member in good standing and simplifying requirements (reducing reasons) to hold an Executive Session bringing more transparency to open meetings

- Held multiple meetings with MCDOT representing the interests of Tonto Hills as directed by road count and speeding survey results. Communications included MCDOT updates showcasing MCDOT app “Notify MCDOT” to report hazards (brush, etc.)
- Focused on fire mitigation and Firewise by increasing dumpsters, encouraging lot owners to clear brush and communications regarding Rural Metro
- Funded two standpipes (water hydrants) increasing the fire safety of the community
- Improved financial reports by working closely with our accounting firm to provide increased transparency and clarity
- Responded to realtors and title companies to assist in quick home sale closings and home refinances
- Responded to more than 50 email questions from the members and realtors/title companies
- Sent 66 THIA Blasts to enhance communication with all lot owners
- Conducted 12 regular and special board meetings to respond to community issues in a timely manner
- Formed a committee to look at possible D of R changes, sent a questionnaire to gain feedback from THIA members and communicated the results
- Completed a survey with community members to get input on corner lot setbacks and potential variances
- Responded to 18 Tonto Hills neighbor to neighbor complaints this year and resolved 70 % with the balance still in process
- Responded to questions from new home owners regarding Dark Skies initiative importance
- Kept up with new lot builds and activity through the ACC
- Approved the ACC recommended changes to the Addendum A to THIA Bylaws Design Review Process which included providing Dark Skies information to new build owners, Perc Test requirements, and a notification procedure to neighbors for new lot builds

Approval of March 23, 2022 Annual General Meeting Minutes

Motion to approve: Ann DiChiara. Seconded: Kathleen Kuchta. Motion passed.

Election count

- Results were certified by Foothills Accounting.
 - New Board members: Sandra Abbey, Robyn Baker, Diana Cole, Jim Gibbs, Kathleen Kuchta, Nancy Nelson, Paul O’Connor, Christine Prentice, David Tappe
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- New ACC Members – Robyn Baker, David DiSanto, Jim Gibbs, Mark LaLiberte, Rick Nelson, Gil Stedman

Reports

Treasury Report – Kathleen Kuchta

- Kathy Kuchta reviewed the 2022-2023 THIA Financial Summary.
 - o Accounting Expenses are favorable by \$2600 due to the transition to Foothills Accounting.
 - o Maintenance and Repairs is favorable by \$2742 due to most repairs being completed in 2021/2022.
 - o Legal fees are unfavorable by \$41,086 due to the litigation supporting our Governing Documents.
- Kathy Kuchta reviewed the proposed budget for 2023-2024
 - o The proposed budget is \$53,490.
 - o A new category for 'standpipes' has been added at \$12,300.
 - o Legal budget is set for \$10,000.
 - o Other categories are adjusted based on 2022-2023 final projected expenses.

ACC – Robyn Baker for Bud Tolp

- The Board approved the ACC revisions to the Addendum A with inclusion of Dark Skies and recommendations for lighting, notification of neighbors for new builds, fire mitigation, and changes to perc test requirements.
- The ACC reviewed 2 new home builds, a remodel for a pool, held 3 pre-design meetings, along with answering many questions regarding building requirements in Tonto Hills.
- The ACC received 4 complaints. 3 were forwarded to the Board and the other was resolved.

Environmental – Robyn Baker

- Robyn Baker gave a paving update. Residents should have received a letter with information from MCDOT dated March 8, 2023 which included FAQs on TT0609 Tonto Hills Paving Project.

Landscaping and Fire Mitigation – Jim Gibbs

- The first dumpster arrived 3/1. Dumpsters will be available in Tonto Hills for approximately 2 months.
- The new water delivery system and entrance lighting are being well maintained.

Welcome Wagon – Jacki Hoagland

- 12 gifts were delivered.
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- The new Tonto Hills Membership Book was available at the AGM and additional books will be distributed.

Firewise – Ann DiChiara, President of THVFD

- Tonto Hills has been recertified as a Firewise community for 2023 thanks to efforts of Rick Holasek and Nancy Nelson.
- Lot owners are requested to email Ann DiChiara at fire@tontohills.net with an estimate of the number of hours spent this year clearing their lot(s) for fire mitigation.
- Homeowners are advised to clear 5-30 feet around their homes.

THVFD – Keith Heiman, Asst. Chief, THVFD

- There are currently 14 firefighters.
- The firemen are using the Tonto FS Firefighters Handbook for training.
- 1 of the 3 fire trucks is operable.
- Tonto Forest Service has been invaluable in getting equipment donations and donating time to the THVFD.
- The THVFD responded to a vehicle accident within Tonto Hills immediately, assisting for 20 minutes until Rural Metro arrived.
- 1 free CPR class has been held for Tonto Hills residents and another is planned.
- The THVFD is looking for more volunteers. They are also planning to upgrade their phone system this year to improve ability to respond to emergency calls.
- Nancy Nelson gave an update on the THVFD budget. Due to several community donations, the budget has been kept low. THVFD is requesting \$8000 from the THIA this year. The biggest expense is insurance (approx. \$7,000/yr.). The THVFD has \$7,222 in the checking account and \$10,215 in the Building Fund.

Old and New Business

Tonto Hills Declaration of Restrictions Committee Update

- The committee recommended that the Board look at two possible ballot initiatives: allowable pets and work from home provisions.
 - The committee will need more volunteers this year.
 - The Board recommends that the new Board address complaints brought to the board by requiring neighbors to work together FIRST to come up with amicable solutions to disputes, and that the governing documents including the Bylaws and Policies and Procedures be reviewed to bring together and enhance procedures and outline steps to be taken for violations or disputes that would occur prior to litigation.
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Tonto Hills Litigation Update

- Robyn Baker reminded the membership that the Board joined the litigation in order to protect our Governing Documents that we all agreed to when we bought our lots in Tonto Hills. The judge previously granted THIA's motion for summary judgment, meaning that as the ruling currently stands, the 1961 amendment is valid and cannot be challenged.
- Westhoff, et al. v. Rent-Sell, LLC: A response to the joint motion for summary judgment for the remaining items in the case was received this week. A reply motion will be timely filed, and the motion will go through the process.
- Rent-Sell, LLC v. THIA, et al. (Counterclaim): There has not been a change to the status of the counterclaim. This litigation is paused until the underlying action is resolved.

Membership Forum

- There was a question on the impact that the Carefree referendum on Rural Metro fire department would have on fire service in our community, should it pass. The Board will follow up.
- There was a request to keep the online calendar updated. Diana Cole agreed to keep the calendar updated.

Motion to Adjourn: Kathy Kuchta. Ann DiChiara- 2nd The motion passed.

Meeting adjourned at 7:34 p.m.

Approved *Diana Cole* 3/27/2024

Diana Cole, Secretary
