
Re: Mark Lalibertes ILLEGAL ACTIONS

6 messages

Michael Jans <michaeljans@gmail.com>

Tue, Dec 6, 2022 at 7:01 PM

To: Chuck <charleskieffner922@gmail.com>, Diana <desertrock85@gmail.com>

Chuck, greetings. Other than this problem, I hope things are going well for you and your family. Doing okay here but recovering from a killer cold, so I'm just getting around to your emails now. (And need to run to the pharmacy before they close.)

Other than addressing your earlier formal complaint, would you like me to pass anything else on to the Board? Also, do you plan on joining the meeting? It helps the Board address the actual concerns of community members.

Chuck, as you know, the THIA has little enforcement power. But, I can assure that this Board's history has been to take violations of the DoRs seriously, and I anticipate they will review your case fairly.

I am sorry this has been a stressful situation for you. I do hope that you, as neighbors, will be able to resolve any lasting disagreements.

All the best, Michael



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On Tue, Dec 6, 2022 at 3:34 PM Chuck <charleskieffner922@gmail.com> wrote:

Mr. Mike Jans, As you can see from our pictures sent to you, which is the tip of the iceberg, as we have over 800 pictures detailing what is illegally going on here on Blue Wash Rd and what you and i spoke of previously via phone call. 20 months later and Lalibertes 3000 sq ft box flat roof is not completed despite DOR rules that it be completed sooner. Lalibertes illegal/harassing behavior continues even after i sent our recent FORMAL COMPLAINT, with pics time date stamped documentation. Since Marks illegal, endangering, childish, vindictive, "I'M SPECIAL" and his contractors and employees behaviors continue, we are forced at this point after calling MCSO 3 times now, to cease in any manner, any method, these reckless/ damaging/harassing/threatening/endangering/ trespassing behaviors. And we are soundly positioned to file criminal charges with MCSO, the Maricopa County Attorneys office, against Mark Laliberte/Finer Touch Contracting for Criminal Harassment(too many counts to count)/Criminal Trespassing(4 counts against Mark-1 count against Jennifer his g/friend)/Criminal Damage to our property(pics to prove before condition, forwarded to you on 12/6/22 and after Mark and his contractors arrival at 11450 E. Blue Wash Rd.)/Criminal Endangerment(when Mark intentionally veered into our lane, running my wife and i off Blue Wash Rd while we were headed eastbound, with his Porsche, so i had to veer into the brush and bar ditch on side of Blue Wash to avoid him hitting us). That's a lot of FELONIES to be facing for Mark Laliberte or anyone. All we have to do is prove one(1) which we can, beyond a shadow of a reasonable doubt and Mark Laliberte is a FELON for life. As well as us filing a Civil Lawsuit seeking recompense for damages to our property. Please reread Marks email to us 16 months ago promising to repair the damage he caused to our property and to park

his vehicles elsewhere. NONE of which has happened nor been exhibited. I think at this point you realize you have one hell of a problem with one of your members who just so happens to be on the THWID. Now since a code of conduct document for any member of the ACC/BOD/THWID was previously signed by Mark Laliberte, (you do have a code of conduct document don't you?) it also would appear that Mark Laliberte has LIED to us regarding repairing the damage to our crushed pavers/broken address tiles/and cracked N.E. corner of our driveway, as well as not harassing us by continually parking within the radii of our ingress/egress from our driveway. Also it appears to us that "selective enforcement" is in play here. This is displayed by Laliberte posting a Finer Touch G.C. sign directly in front of our driveway in blatant violation of the TH DOR's aka NO SIGNS ON property, except for FOR SALE signs.

Now since my family has a previous regrettable history with Laliberte of vindictive, anger management, criminal damage issues and behavior by himself, which we will save for later, i think you should understand, we are at a point of NO RETURN with Laliberte. Now to showcase more of the "selective enforcement" we have experienced/witnessed by your BOD/ACC members, it should be noted in those pictures, the non permitted wall and fencing at Jackie Hoaglunds house. We amazingly never saw anything about this with the ACC granting permission, nor did we see any Maricopa Zoning permits pulled for this wall and fencing. We also experienced the "selective enforcement or selective circle of friends" exhibited by Jackie when she had her recent Tacos and Tequila party sponsored with Tonto Hills funds, and my family members were not invited. When asked by another neighbor about attending, my family members stated "we were not invited". This neighbor questioned Jackie about this and at the 11th hour Jackie invited them. But due to Jackies previous ongoing non friendly attitude towards us(not waving/not speaking at usps mdu box etc), stemming we guess, from the 2 times i rescued her husband Charlie from off the Blue Wash Rd where upon meeting her for the very 1st times, both incidents she gave me the 3rd degree "who are you/where are you from?/what do you do?/why did you move here?" and neither time a simple thank you uttered by her for retrieving her wondering husband Charlie off the street and out of imminent danger. While being given the 3rd degree, i mentioned we moved here because a guy across the street at the house i owned for 30 years moved a illegal hazmat machine shop into R-43 and built a "giant red barn and blocked our view of the Boulders." Funny the exact same words used by Laliberte when he stepped out in front of the road blocking me, the very 1st time i met him, where i thought i was being car jacked and took appropriate actions, and he stated "Hi im Mark and Im going to build a giant red barn and block your view". This is how your board members greet people??? Next, Lalibertes and Nevins plans drop, Bud Tolp comes over and we discuss. I mention the previous family member issues with Mark, i mention the fire issue, Bud states "each new build will have a 500 gallon water buffalo, at least 2 fire ext visible and hoses to all 4 corners of property " Never saw any of those on Marks nor Nevins property. Later that day Mark trespasses on my legally posted No Trespassing 13-1502 property and pounds on my door. Not knocks on my door. POUNDS ON MY DOOR and states in a combative/ argumentative/hostile manner " i wanna talk about a deal gone wrong" ! SCREAMING AT ME WITNESSED BY MY WIFE. I stated "im busy" and shut the door in his face. Next Mark starts parking directly in front of driveway countless times to harass us. Pics taken. Then we see Mark standing on his property with binoculars, staring into our garages and property.

Next Marks "golden shovel" party and his Finer Touch clown Adam Cade parks on our property with hot catalytic convertor. I state to Adam Cade to please remove his vehicle from our property. Adam Cade starts shit, refuses to move vehicle. i then tell him "to remove his vehicle now or i call MCSO as we are afraid of fire" and he states to my amazement "we are not afraid of fire?" at that point he moved vehicle. Not 15 minutes later another clown from Marks party where our driveway

completely blocked, parks on our property. At this point im fit to be tied and just take pictures on my Nikon 35mm. After party over, we watch Mark and Jennifer continue drinking , get into black porsche suv, go up Blue Wash rd, then turn around, park directly in front of our driveway and once again TRESPASS on our property. #3 strike in a day with Mark and his friends Trespassing on our legally posted No Trespassing property. And when he pounded on my door again, I asked him "did you read my sign? and he stated "what sign?" and thats when i told him to GTF off my property or i call MCSO! and then to show me whose the big man on campus, Mark then proceeds to cut across our N. E. property on his way to Nevin 2 more times while wife and i are watching .Pretty sure i have pics of this on my Nikon 35mm. Apparently Marky is above the law, or thinks he is the law and can go anywhere and treat anyone like crap anytime he likes and trespass on their property because hes "special" . But wait theres more! Then one day Mark sees me leaving, gives me stink eye while im outside just spoiling for a fight. I get in my truck. I watch him get in his suv. Knowing full well what a narcissist he is from speaking to others in Tonto Hills and their behavioral traits as a abnormal psych major, i know he's impatient. So i wait him out and play with my phone. Sure enough, he grows impatient as i waited him out and he leaves his property. I let him go down. I then leave wanting to avoid his crap. lo and behold theres Mrs Nevins walking her dogs. Mark parks his suv in middle of road with his door open and they proceed to have a nice little middle of the road chat. All the while blocking my legal transit along a deeded county road. Very similar to him blocking the road telling me to stop up on old mine road when he told me hes going to build a giant red barn and block our view the very 1st time i met him. As i slow down, Mrs Nevins moves off of roadway, Mark drags his feet gives me stink eye, and i go by at 1mph and he starts yelling at me "HEY BUDDY" or some crap i wasnt in the mood to hear. And im the bad guy in all of this and we have done nothing to anyone except those hostile to us, harassing us, damaging our property, trespassing on our property??? Or the other complaints of dust,noise, contractors starting before maricopa legal hours and staying late after legal contractor work hours, pissing on our property, reckless driving, speeding,garbage everywhere because mark fills the dumpster to the brim, being threatened by 2 of his vendors asking them to remove their semi trucks from blocking our driveway. It amazes me how we are portrayed, but alas the pictures show a totally different story dont they? And theres a boat load more pictures to prove documenting our complaints.

So Mike there ya go, ya probably should read this twice, pass it around, let others comment, show it to Jim Gibbs hes a ex cop. Mark invited him over to give me stink eye. I also spoke to Jim Gibbs about the 500 gallon water buffalos and fire ext and hoses while Marks workers gasoline chop sawing block(they are chopping block as i write) and all the sparks emitted, and then we had the fire on La Plata not a week later, that i also called in about the gas chop saw throwing sparks there. Jim Gibbs did NOTHING to enforce this on either Nevins nor Marks properties. Realize legally that Mark Laliberte is no longer on thin ice as there is no more ice. The intelligent method to solve this, is for Mark Laliberte to repair our driveway pavers, repair our address tiles, re-caulk the crack on our driveway. Because the very next person who trespasses/ damages our property/harasses us/throws garbage or cig butts on our property(arson of an occupied structure), blocks our legal ingress/egress to our driveway, I am marching down to MCSO District IV and filing FELONY CHARGES against Mark Laliberte and FINER TOUCH Contracting. Then i will be filing civil papers . And i think you know very well where this is going regarding TH and how your fiduciary duty as the TH President is to protect my assets and to corral your members on the BOD/THWID/ACC as to their illegal /endangering/harassing/behaviors. Its obvious that "selective enforcement" is going on , by the mere fact the Ravens View conex illegally placed next to her structure. No permits for electric/water nor health dept permits. It also plain to see all of the "selective

enforcement" across the street at Lalibertes. Its also clearly obvious the selective enforcement over a 9ft easement at a TH fire fighters build Quite the WELCOME WAGON we have here? By the way where is our \$100 welcome wagon gift we never received??? Members here actually pick fights with somebody who risks his life on the fire dept to save our properties. Amazing how it works in here. Your statement in our phone conversation that the TH Assoc is pretty "FANGLESS" as far as authority, does not seem applicable. Not exactly how us natives operate. That age old statement of "dont piss off the natives", is now about to come full circle legally.

So i highly suggest and what will behoove you the most, is you pull Marks choker chain real real TIGHT until his eyes bug out and we set a reasonable timeline of say the last day of 2022, 12/31/22, that Mark Laliberte repairs the damage to our property. We have ONLY waited 16 months since Mark stated he would repair our property and not block our driveway illegally parking on a deeded maricopa county road. Have the contractor Mark chooses, call me at 602 558-1987 when he plans to start so i can make my plans to be present. Mark Laliberte will NOT converse with my family nor myself in any manner from here on, as i have wasted enough of my valuable time on a documented liar. If Mark fails to repair property and remove illegal sign, comply with maricopa county law(as per MCSO and MCDOT) no parking areas, completing his project, then we have no choice in the matter as to what legal directions we take. Now when Mark sniviles about how complex his project is. supply chain issues, employees etc and shows you the one and only email i sent to him TELLING him what i'm going to do if he doesn't cease and desist his illegal behavior 16 months ago, please note i didnt threaten him. I told him exactly what i was going to do and i have, to the letter, because he is breaking numerous laws/rules/regulations. I don't threaten people. I am trained not to do so. I think i explained to you in our phone conversation my position and i have been fully trained on ARS(az revised statutes) I tell people what im going to do, they then get to make a intelligent decision or not, as to continuing their poor illegal behaviors. I kind of live by the Code of the West as a native, and a mans word is all he has. Its fairly obvious Mark is NOT a man of his word at this point in time. So in ending, any lies.denials, by Mark Laliberte as to his deplorable, illegal, endangering actions, will be met with documented picture and video evidence quite the contrary and presented to MCSO and the Maricopa County Attorneys office. So its really In Mark Lalibertes best legal/financial interests, to repair our property and to comply with all state/county laws as well as TH DOR's. Tonto Hills BOD/ACC/THWID dismissing these ,our complaints and illegal activity will not be in anyone's best interests. Maybe when our property is repaired i will submit pictures of the bad guys stealing the trailer at Lalibertes property the other day. The caliber of employees hired by Finer Touch owner Brad Leavitt contracting to make his profit margin has a lot to be desired. I especially like being awakened to car fulls of day workers with Sonoran and Sinaloan Mexican national plated vehicles and they start pissing on our property. Maybe a call to ICE/Border Patrol as i stated to Mark in my only email, will stop these issues????

Thank You,

Charles W. Kieffner

11453 East Blue Wash Rd

602 558-1987

Michael Jans <michaeljans@gmail.com>

Tue, Dec 6, 2022 at 7:14 PM

To: Diana <desertrock85@gmail.com>, Bud Tolp <bud.tolp.az@gmail.com>, James Gibbs <captgus34@gmail.com>, Ann Dechiara <anndichiara@aol.com>, Jacki & Charlie Hoagland <jphoagland@gmail.com>, kathleen kuchta <kathleenkuchta@msn.com>, Nancy Nelson <nancywnelson@gmail.com>, robyn <rmcb2002@msn.com>

Fellow BoD members,

I am the recipient of - at latest count - 29 emails today from Mr. Chuck Kieffner of Blue Wash. Most are brief, with pictures of alleged violations. I have asked Mr. Kieffner if he wants me to pass anything else on to you, other than the original complaint.

Sorry for being somewhat incommunicado lately. We actually spent some time on vacation in November. And, naturally, we both came home with souvenirs from the Germ Factory - otherwise known as grandchildren. I'm just getting my head up after a week of 'the backaches and miseries.' (Hard to complain...haven't been sick in three years. Oh yeah, other than that COVID thing.) I'll try to wrap my brain around Mr. Kieffner's email tomorrow.

It does seem that much of the lengthy message from Mr. Kieffner pertains to things far outside our domain - and I suspect that, based on the emotional tenor of Mr. Kieffner's epistle - any efforts toward 'neighbor-to-neighbor' reconciliation would be a lost cause.

See y'all on Thursday, Michael

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Diana Cole <desertrock85@gmail.com>

Tue, Dec 6, 2022 at 8:33 PM

To: Michael Jans <michaeljans@gmail.com>

Michael,

I have him on the agenda for both complaints (Kym and Mark) and will try to glean from this email any other violations based in our governing docs.

See you tomorrow night, you said Thursday so just confirming it's tomorrow.

Diana

Sent from my iPad

On Dec 6, 2022, at 7:01 PM, Michael Jans <michaeljans@gmail.com> wrote:

Chuck, greetings. Other than this problem, I hope things are going well for you and your family. Doing okay here but recovering from a killer cold, so I'm just getting around to your emails now. (And need to run to the pharmacy before they close.)

Other than addressing your earlier formal complaint, would you like me to pass anything else on to the Board? Also, do you plan on joining the meeting? It helps the Board address the actual concerns of community members.

Chuck, as you know, the THIA has little enforcement power. But, I can assure that this Board's history has been to take violations of the DoRs seriously, and I anticipate they will review your case fairly.

I am sorry this has been a stressful situation for you. I do hope that you, as neighbors, will be able to resolve any lasting disagreements.

All the best, Michael

Sender notified by



[Quoted text hidden]

Michael Jans <michaeljans@gmail.com>

Wed, Dec 7, 2022 at 5:52 PM

To: Diana <desertrock85@gmail.com>, James Gibbs <captgus34@gmail.com>, Ann Dechiara <anndichiara@aol.com>, Jacki & Charlie Hoagland <jphoagland@gmail.com>, kathleen kuchta <kathleenkuchta@msn.com>, robyn <rmcb2002@msn.com>, Nancy Nelson <nancywnelson@gmail.com>, Bud Tolp <bud.tolp.az@gmail.com>

Fellow BoD members,

Well, I promised I'd wrap my brain around Mr. Kieffner's email. Ouch.

In this email I'm also passing on his response to my question as to what he wants me to specifically he wanted me to pass on for action.

In short, I find this - his 30th communication to me in the last 24 hours - to be a hate-filled diatribe of personal grievances, mis-information, and, unfortunately, a not-so-thinly veiled threat of legal action against THIA on the grounds that "TH is ultimately held responsible for lalibertes (sic) behavior and actions."

That said, I surmise that nothing new is added to our agenda with any of these most recent communications. (And that Mr. Kieffner needs to take responsibility for clearly stating his requests.) His complaints about Mr. Laliberte's 20-month construction and Raven's View's storage container remain on the agenda.

See y'all tonight! Michael

----- Forwarded message -----

From: **Chuck** <charleskieffner922@gmail.com>

Date: Wed, Dec 7, 2022 at 2:27 PM

Subject: Re: Mark Lalibertes ILLEGAL ACTIONS

To: Michael Jans <michaeljans@gmail.com>

Mr Mike Jans, I'm not much into bargaining nor playing nicey at this moment after our driveway blocked with a semi truck this am, then its forklift pulling onto our driveway. PICTURES TAKEN TO PROVE!!!!!! and at 1232 this afternoon 2 mexican nationals IN MY WEST YARD ON MY PROPERTY WERE CAUGHT RUNNING BY MY KITCHEN WINDOW. LOOK AT MY HOUSE ON THE WEST SIDE AND YOU DETERMINE HOW MANY FEET THEY WERE ON MY PROPERTY when i can see them thru my freeking kitchen window!! Were they taking a crap on our property? i have yet to inspect the area. Were they scoping our house for a ripoff??? Probably the worst house on the planet to pull that one off! I'll have to say they were 50yds south of Blue Wash RD ON OUR PROPERTY on the WEST SIDE!!!! Now as i stated in my prior email yesterday with pics, IT ALL JUST ENDED! ALL OF IT AND I FREEKING SAY SO!. Mark Laliberte has until 12/31/22 to repair our property or suffer severe legal consequences criminally and on the civil side. TH BOD/ACC/THWID all will be involved also due to lalibertes membership. He is ultimately responsible for his actions on Blue Wash rd and will be held legally accountable. TH is ultimately held responsible for lalibertes behavior and actions while holding a position. NOBODY IS INDEMNIFIED! I'M not mincing words here. I'd like you to experience 20 months of the most poorly mismanaged jobsite i have ever witnessed in my life ever in 65 years of living here. And with building a 10,000 sq ft home and multiple aircraft hangers in my time i think i know WTF is going on in the building trades. Your statement at the last meeting "well if the guy is spending \$1.8 million on a house, he sure has to know what he's doing," Laliberte doesnt know what hes doing because he cant do it himself. THAT WHY HE TEACHES IT! "if you cant do it , TEACH IT!" Well Mike 20 months to build a square 3000 ft box flat roof box with a negative edge pool the size of a postage stamp, completely proves HE DOESNT KNOW WHAT HES DOING! And we didnt sign up nor pay for this shit show illegal endangering/destructive/harassing /trespassing behavior. The only way this will be resolved is our property repaired and we are made whole again. Amazes me as i stated "under the watchful eye of jackie Hoaglund" that a illegal Finer Touch G.C. sign is posted on Lalibertes property for this time frame.Let alone the traffic cluster fook that happens daily 7 days a week when his contractors there. All we are asking is for a space so we may pull in or out. Im not the cop on Blue Wash rd. BUT I AM THE COP WHEN IT COMES TO CRIMINAL DAMAGE TO OUR PROPERTY ,BLOCKING OUR DRIVEWAY ILLEGALLY PARKING , TRESPASSING REPEATEDLY, CRIMINAL ENDANGERMENT, ARSON OF A OCCUPIED PROPERTY and CRIMINAL HARASSMENT!

There is no waffle room here. There is no bargaining. There are no deals. Its OUR WAY or 4th ave jail for lil marky and his funky bunch and litigation from us. 16 months since lalibertes email promise to fix our property. THATS 16 MONTHS! My wife and I are at wits end, there is no more patience. There is no more mr and mrs nice guys. The other real big ginormous problem you and lil mark and others have, we will be here until they drag us out by our boots. And we are not taking anymore crap or LIES from anyone, especially those from out of state. It gets real old asking nicely for one of marks flunkys to please remove his vehicle so we may enter or exit or property and each and every time it becomes "i'll park any where i want F-YOU" and we are off to the races again. And amazingly i'm on a 1st name basis with MCSO here and they just said "just call us, we will take care of it". Thats where we are at. The clock is ticking for laliberte to replace our pavers with the same color pavers, re-caulk the cracked driveway from his equipment crushing it , and replace our address tiles on the west side of driveway. How many more before and after pictures do you need???? I know for a fact this will be a slam dunk court case with 800 pictures. All i have do is supply some popcorn. Its GAME ON. Those are my final words on the subject. Dismissing this, blowing us off, calling me "crazy", is going to start a lot more problems for a lot of people that none ever bargained for legally. I dont bluff when it comes to our physical and our property safety.

Charles Kieffner

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Nancy Nelson <nancywnelson@gmail.com>

Wed, Dec 7, 2022 at 6:08 PM

To: Michael Jans <michaeljans@gmail.com>

Cc: Diana Cole <desertrock85@gmail.com>, James Gibbs <captgus34@gmail.com>, Ann DiChiara <anndichiara@aol.com>, Jacki and Charlie Hoagland <jphoagland@gmail.com>, kathy kuchta <kathleenkuchta@msn.com>, Robyn Baker <rmb2002@msn.com>, Bud Tolp <bud.tolp.az@gmail.com>

I agree with you Michael

[Quoted text hidden]

Michael Jans <michaeljans@gmail.com>

Thu, Dec 8, 2022 at 3:17 PM

To: n_walters@mcs.maricopa.gov

Cc: Mark Laliberte <mark@constructioninstruction.com>, Diana <desertrock85@gmail.com>

Officer Walters, thank you for the rapid reply to my call. As I mentioned, a community member on Blue Wash claims to possess video evidence that may help you solve the theft that we discussed, also on Blue Wash. Just so you know, I bolded the relevant part of the (very long) original message.

As a matter of personal safety, please leave my name out of any conversations you have with Mr. Kieffner. A quick skim of his message should make my reasoning apparent. (While this message was originally sent to me, I shared it with the other eight members of the Tonto Hills Board of Directors, as is our protocol when complaints are submitted.)

His contact information is: Charles W. Kieffner, [11453 East Blue Wash Rd, 602 558-1987](#).

I am copying the victim of the theft, Mr. Mark Laliberte, as well as the secretary of the association on this message.

Officer Walters, if I may be of further assistance, feel free to reach out. We are grateful that Tonto Hills is a low-crime community and look forward to continuing our strong working relationship with the sheriff's office to keep that so.

All the best, Michael Jans

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