

Tonto Hills Improvement Association

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

I. Call to Order, Roll Call, & Attendance

The ACC meeting was called to order via ZOOM at 6:30 PM on December 23rd 2021. Committee members on the ZOOM link; Bud Tolp, Robyn Baker, Sam Brandt, Steve Rensel, Mark Laliberte, and Rick Nelson. Tonto Hills Association members via ZOOM were; Kym Westhoff, Diana Cole, Nancy Nelson, Tara Laman, Charlie Civer, Christine Nichols, Kathy Kuchka, Ann DiCiara, Robert Tattle, Michael Jans, Tom Cagliota, Delina DiSanto, Don Belousek, Jacki Hoagland, Jim Gibbs, Christine Heiman, Michael Glover, HGPL, The meeting was recorded via ZOOM.

II. Opening Comments

Bud Tolp had no opening remarks and opened the meeting for public comments or questions by members. Jim Gibbs pointed out that the chain-link fence would make it more difficult to extinguish a grass fire on the fenced property. Other members spoke of how unattractive the fence looks.

III. Approval of Consent Agenda

Rick Nelson moved to accept the meeting agenda, Mark Laliberte 2nd, motion approved 6-0.

IV. Review of Projects - None

V. Letter Complaint - Potential Violation(s) by the owner of Tract G; parcel #219-12-230A (Lot 230A); fencing on Lot 230A.

- Kym Westhoff, the owner of Lot #212B described the impact the temporary fencing had on her property and business.
- Steve Rensel explain his reasoning for erecting the fence.

VI. Document Review & Fact Finding

- Based on procedures as set forth in **Article Six (6) Section 4** of the Bylaws of the Tonto Hills Improvement Association (THIA) as amended, 7/14/2021.
- Based on the THIA Declarations of Restrictions (D of Rs)

Paragraph 1 No structure of any kind shall be commenced, placed or architecturally modified in Tonto Hills until the design, location, and the kind of materials to be used therein have been approved by a majority of the Architectural Control Committee (ACC) of the Tonto Hills Improvement Association, defined below.

Paragraph 17g No structure shall be constructed any portion of which is closer than ten (10) feet to the front lot line.

Paragraph 17h (as amended 1 February 1988) The Sections created by the designated as Tracts F, G, H, and J, are particularly restricted for use as driveways and parking areas for use in the connection with the lots as follows:

B. Tract G for Lots 209 through 212 inclusive

Paragraph 21 No lot shall be used or allowed to become in such condition as to depreciate the value of adjacent property.

VI. Discussion and Actions

The Committee discussed the D of R paragraphs stated above. The intent of each was weighed against the complaint presented. Following the discussion, Rick Nelson moved that Mr Rensel, the owner of Lot 203A was in violation of the D of R paragraphs listed above. In accordance with the Bylaws, a letter would be sent requiring corrective action within ten (10) days. Bud Tolp seconded, the motion passed 5 - 0 - 1. Mr. Rensel abstaining.

VII. Adjourn

Mark Laliberte moved to adjourn the meeting, Rick Nelson seconded, motion passed 5 - 0, Mr. Rensel absent. Meeting adjourn at 7:35 pm

VIII. Executive Session - None