

**Fountain Hills Community Association
Board of Directors Meeting
August 6, 2015**

As Approved at the September 3, 2015 Board of Directors Meeting

Board Members Present: Thomas Walker, President
Christopher Allo, Vice President
Harry Matchett, Treasurer
Frank Walsh, Secretary
Lena Burleson, Member at Large
Hari Donthi, Member at Large (arrived 7:37 pm)
Katharine Stout, Member at Large

Others Present: Ruchita Patel, Management Agent
Marylou Bono, Recording Secretary

Homeowners Present: Sherry Lee Robert Love
Barbara Peressini JoAnn Windsor
Vernard McBeth

Call to Order

The August 6, 2015 Board of Directors meeting of the Fountain Hills Community Association was called to order at 7:30 pm by Board President Tom Walker.

Meeting Minutes

MOTION: (Tom Walker, Lena Burleson) Approve the minutes of the July 2, 2015 Board of Directors meeting incorporating edits by Frank Walsh and Harry Matchett.

Vote: 5-0-1 (Katharine Stout abstained; Hari Donthi not yet present)

Mediterranean Drive Fountain

Tom Walker discussed the meeting of residents at the Mediterranean Drive fountain the previous weekend. The Board discussed a date to meet and review questions from the meeting and plans for community involvement in similar future projects. Tom Walker said he would send out a “Doodle” poll. Ruchita Patel is to send all four fountain proposals to the Board for comparison and to determine if additional bids are needed. Tom Walker is to gather information for presentation to the community, perhaps at the September pool event or via the website.

Homeowner Forum

David Holtzman advised the Board of an upcoming concrete repair project at the condominiums and the potential for disruption in traffic. He answered questions from homeowners regarding parking access around the pool.

Barbara Peressini expressed concern to the Enforcement Committee regarding overgrown and tall trees on individual properties throughout the community. She suggested that a notice be put in the newsletter regarding pruning. Additionally, Ms. Peressini feels that the expense for dog stations should be discontinued.

JoAnn Windsor expressed concern regarding the vagueness and generality of the wording in the community guidelines for tree maintenance. Tom Walker advised that the Enforcement Committee would have to create specific standards before sending these out to homeowners. Ms. Windsor was also concerned with the abundance of overgrown tree branches hitting the windows of homes and the roots of aging trees. She asked for an update on delinquency collection and inquired as to the possible retroactive responsibility of Vanguard for the delinquency balance that was carried over at the time of the management company change. Tom Walker advised that there would be an article in the upcoming newsletter with an update on collections. Ruchita Patel advised that the attorney is making progress and that the number of accounts in collections is down for the fourth month in a row. Approximately 50 homes make up the bulk of the delinquencies.

Robert Love would like for the community to be more informed on the delinquency issue, the CCOC case and ongoing costs to the community. He stated that homeowners have never received a good explanation regarding the CCOC case. He reiterated his suggestion from previous meetings that an arborist be hired to provide an opinion on tree issues and pruning in the community. He stated his opinion that the fountain on Mediterranean Drive does not need to be replaced with a smaller fountain. Further, he noted that the cluster mailboxes in the community are in awful condition. He recently walked through the pool facility and it is not in bad shape.

Hari Donthi was in agreement with Mr. Love's comments concerning tree pruning and stated that it was affecting his property as well. Mr. Donthi noted that the Board discusses a number of issues and suggested publishing a running list of those issues currently on the table and those that have been resolved. Lena Burlison agreed and suggested that perhaps a section on the website be devoted to this.

Vernard McBeth stated that about three years ago, a vendor evaluated all community trees. He suggested that the Board contact that vendor. In addition, he pointed out that it was the memo from management that got the residents upset over the fountain replacement on Mediterranean Drive.

Harry Matchett acknowledged and thanked Sherry Lee for putting together the homeowner gathering at the Mediterranean Drive fountain. He stated that the branches from common area trees that are hitting homes are the most hazardous to homeowners. He noted that every couple of years it is necessary to go through the community and prune.

Frank Walsh observed that Dunlevy had been doing a lot of tree pruning work during the week of July 27, 2015 and asked if this was under contract. Ruchita Patel advised that they were performing contract pruning and would be returning in September to finish. Ms. Patel also confirmed that WSSC is still installing new pipes in land adjacent to the community.

Hari Donthi stated that he agrees that the dog station contract should be discontinued.

Finances

Tom Walker inquired as to when the auditors would begin work. Ruchita Patel advised they would be starting in September. Ms. Patel advised that as of June 30, 2015, there were 147 homeowners delinquent, with amounts greater than 30 days past due totaling \$177,631. The current balance in the checking account is \$5,642 and the total of open invoices \$42,870. She advised that the community is always about \$40,000 behind. A general discussion of cash flow ensued.

Reserves

Ruchita Patel advised that the amount due from operating to reserves is \$38,743.95, which is down from approximately \$62,000 that was previously owed. Ms. Patel said that the priority should be to get operating expenses current rather than to pay back reserves. She suggested extending the payment schedule to repay the amount recently borrowed from reserves for longer than two years.

Voting Items

13351-53 Rushing Water Way Handicap Parking - The Board discussed the lack of a handicap ramp and signage at handicap spaces in front of these addresses that were relocated last year. Sherry Lee reported that the towing company had also advised that the spaces are not the appropriate size for handicap spaces.

MOTION: (Tom Walker, Lena Burleson) Return the handicap spaces and reserved spaces to their original positions between 13351 and 13353 Rushing Water Way for a cost not to exceed \$1,000. Also black out the old space and install new signage.

Hari Donthi asked what the original issue was. Harry Matchett explained the impact on handicap residents and the previous relocation of two spaces.

Vote: 6-0-1 (Frank Walsh abstained)

Abandoned Home, 13211 Lake Geneva Way - The Board discussed this property, whose ownership is unclear, and the use of the parking spaces assigned to it. Sherry Lee advised the Board that residents were using the parking spaces to park their cars.

MOTION: (Tom Walker, Harry Matchett) Designate the two parking spaces (119, 219) assigned to the abandoned home at 13211 Lake Geneva Way as visitor parking spaces. Sherry Lee to coordinate the work with G&G Towing at no cost.

Vote: 6-0-1 (Frank Walsh abstained)

Harmony Woods Lane Tot Lot - The Board discussed the possible replacement and relocation of this tot lot to the nearby center island. Tom Walker discussed his visit there and noted that it is in a very obscure location and there is a lot of trash around. Lena Burleson suggested obtaining feedback from residents in the area. In response to a zoning question raised by Frank Walsh, Ruchita Patel confirmed that a site plan amendment is required to remove the tot lot.

MOTION: (Harry Matchett, Hari Donthi) Do not pursue replacement or relocation of the Harmony Woods Lane tot lot and remove it from the agenda.

Vote: 6-1-0 (Frank Walsh against).

Lighting Petition, Mediterranean Drive - Tom Walker advised that this item was back on the agenda per Nick Mahabir's request that the Board provide a response. Hari Donthi explained that Nick had brought a petition for installation of additional lighting on Mediterranean Drive to the Board's attention last year and that a lighting assessment of the entire community was supposed to have been conducted with law enforcement, but never was. Bids had also been obtained for this work. Harry Matchett commented that a light at the mailboxes would make more sense and that homeowners in the area were not using their porch lights.

MOTION: (Tom Walker, Lena Burleson) Deny the petition for additional lighting on Mediterranean Drive as funding is not currently available.

Tom Walker amended his motion to include that Mr. Mahabir may resubmit his petition next year prior to budget time for reconsideration. Lena Burleson requested that Nick Mahabir be provided a written response on the decision. Tom Walker stated that he will send a letter from the Board.

Vote: 6-0-1 (Frank Walsh abstained)

A notice to all residents regarding use of porch lights will be added to the newsletter on an ongoing basis.

Committee Reports

ACC

Chair Robert Love was not present at this time.

Pool

Tom Walker advised that the Board will coordinate a walkthrough of the pool facility before it closes for the season and will provide to Ruchita Patel a list of repairs to address during the winter. Stephon Collins is to follow up with CPS regarding cleaning out the storage closet.

Enforcement Committee

Violation Status Report - Harry Matchett previously submitted to the Board via email a spreadsheet documenting the status of violations cited by the Enforcement Committee. The Board discussed standards for trees.

Parking on Harmony Woods Lane - Sherry Lee informed the Board that G&G Towing was not previously given clear instructions regarding times towing could occur. The signs say 24 hours, but the towing patrol was believed to be from 2 to 9 am only. Townes at Chestnut Oaks residents have been using the visitor spaces assigned to Fountain Hills, but are usually out before 2 am. Frank Walsh asked why this part of the community should have 24/7 enforcement when the rest of the community does not.

MOTION: (Harry Matchett, Chris Allo) Towing on Harmony Woods Lane should be enforced 24 hours a day.

Harry Matchett amended his motion to include that the Townes at Chestnut Oaks management be notified that towing in this area will be enforced 24 hours a day effective September 1, 2015. Frank Walsh stated that this was more trouble than help.

Vote: 6-1-0 (Frank Walsh against).

Landscaping

Tree Walkthrough - Tom Walker, Frank Walsh and Harry Matchett did a tree walkthrough of the community and Mr. Walker is to meet with Dunlevy to discuss the recommended tree removals next Tuesday.

MOTION: (Tom Walker, Hari Donthi) Due to budget constraints, no trees will be removed unless they pose a danger.

Vote: 6-0-1 (Frank Walsh abstained).

Fall Turf Renovations

MOTION: (Tom Walker, Katharine Stout) No turf renovation will be done in 2015.

Ruchita Patel advised that she is revising the lawn specifications for the renewal contract and will add turf renovation to the revised specifications. Ms. Patel would have the proposals in the September or October report for the Board's review.

Vote: 7-0-0

Turf Renovation, 13101 Lake Geneva Way - The Board discussed the request from this homeowner to perform turf renovation on the common area adjoining his property.

MOTION: (Tom Walker, Lena Burleson) Do not do any turf renovation in the common area adjoining the property at 13101 Lake Geneva Way.

Vote: 7-0-0

Tree Replacement, 13205 Autumn Mist Drive - The Board discussed the homeowner's request to replace a common area tree at his own expense. Ruchita Patel advised that the homeowner wants to replace the tree for privacy reasons. Frank Walsh stated that the area is already crowded with trees.

MOTION: (Frank Walsh, Harry Matchett) Deny the request from the homeowner at 13205 Autumn Mist Drive to replace a common area tree.

Vote: 2-3-2 (Frank Walsh, Harry Matchett - for; Tom Walker, Chris Allo, Katharine Stout - against; Lena Burleson, Hari Donthi - abstained)

Lena Burleson suggested that the Board visit and inspect the area in question and add the item to next month's agenda to consider.

Landscaping Committee - The Board discussed the status of the Landscaping Committee. Frank Walsh and Harry Matchett confirmed their intention to continue participation on the Committee. Tom Walker feels that the Board and TMGA can assume the duties of the Committee.

MOTION: (Lena Burleson, Tom Walker) The Board of Directors will assume the duties of the Landscaping Committee.

Vote: 6-0-1 (Harry Matchett abstained).

Old Business

Discussion tabled.

General Information

Stone Repairs - Frank Walsh noted that some stones in the work under repair near the condominiums are still missing. Ruchita Patel advised that the area in question was not included in the contractor's scope of work and that the contract was only for the stairs, fountain basin and walls on either side of the stairs.

Ms. Patel said that she will inspect the area at the bottom of the stairs before paying the invoice as the trip hazard was already on her punchlist.

Stormwater Management Ponds - Ruchita Patel advised that two more stormwater management ponds were turned over to the County. She will be following up to determine whether all facilities have now been turned over to the County.

Adjournment

MOTION: (Tom Walker, Lena Burleson) - In accordance with Section 11B-111 of the Maryland Homeowners Association Act, the Board of Directors voted 7-0-0 to go into Executive Session at 9:53 pm for the purpose of discussing delinquent accounts and potential litigation.

Submitted by: Marylou Bono, The Management Group Associates, Inc.

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