

Corrected as approved on March 3, 2016

**Fountain Hills Community Association
Board of Directors Meeting
February 4, 2016**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, February 4, 2016 at 7:30 p.m.

Board Members Present:

Tom Brennan, President
Nick Mahabir, Vice President
Harry Matchett, Treasurer
Frank Walsh, Secretary
Sherry Lee, Director
Siu Poon, Director

Also Present:

Laura Etchison, Community Manager
Ruth Ann Allen, Recording Secretary

Board Member Absent:

Hari Donthi, Director

Homeowners Present:

Manjit Kaur, 18625 Autumn Mist Drive
JoAnn Windsor, 18933 Fountain Hills Drive
Andrea Velez, 18811 Lake Placid Lane
Bob Waechter, 18811 Lake Placid Lane
Robert Love, 18723 Autumn Mist Drive
Cheryl Lohman, 18805 Lake Placid Lane
Stacey Teig, 13436 Fountain Club Drive
Alexis Gerard, 18903 Fountain Hills Drive
Noreen Frank, 18807 Lake Placid Lane
JoAnna Vedaa, 18926 Fountain Hills Drive
Nikki Miller, 18725 Harmony Woods Lane
Roger and Lisa Borg, 18808 Lake Placid Lane
Yi Zhang, 18815 Lake Placid Lane
David Holtzman, 18715 Sparkling Water Drive
Steven Muse, 18804 Porterfield Way
Anand and Krupe Sastry, 18806 Lake Placid Lane
Biao Ruan, 18813 Lake Placid Lane
Vernard McBeth, 13108 Lake Geneva Way

A. CALL TO ORDER

The February Board of Directors Meeting was called to order by Tom Brennan at

7:30 p.m.

B. IKO COMMUNITY MANAGEMENT

Tom Brennan introduced Laura Etchison with IKO Community Management as the new community manager for Fountain Hills Community Association (FHCA). Ms. Etchison stated that she was excited about the new partnership between IKO and FHCA and plans to bring a fresh perspective to the community.

C. MINUTES

1. January 7, 2016 Board of Directors Meeting Minutes

MOTION: (Siu Poon/Tom Brennan) Table the approval of the January 7, 2016 Board of Directors Meeting Minutes until the changes from Frank Walsh and Harry Matchet have been incorporated into the minutes.

Vote: Motion Passed - Unanimous

D. HOMEOWNER OPEN FORUM

1. Manjit Kaur, 18625 Autumn Mist Drive, inquired why The Management Group Associates (TMGA) resigned as the management company for FHCA, and inquired if there will be better communication between the Board, Management, and homeowners. Ms. Kaur also inquired about removal of the dead trees on her property.

2. Alexis Gerard, 18903 Fountain Hills Drive, inquired about the clogging of the drain on Cornelius Court that created flooding in the fall. Ms. Gerard also requested that the dog waste stations be reinstalled.

3. JoAnn Windsor, 18933 Fountain Hills Drive, inquired about updating the information on the ongoing legal case on the FHCA website. Ms. Windsor also inquired if there was any more information on rentals in FHCA.

4. Cheryl Lohman, 18805 Lake Placid Drive, inquired on the status of her ARC Application for a walkway by her house.

5. Andrea Velez, 18811 Lake Placid Lane, inquired about plans for enforcement of upkeep of homeowner's property, as the community is in terrible shape.

6. Bob Waechter, 18811 Lake Placid Drive, stated his support for a walkway and the rental subunit at 18805 Lake Placid Drive.

7. Robert Love, 18723 Autumn Mist Drive, inquired why the CCOC case was not on the agenda and asked if there was any updated information and when it would end.

Mr. Love also noted that there is a homeless camp located near his house. He has contacted Police, who replied that not much can be done.

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8. Nikki Miller, 18725 Harmony Woods Lane, stated that she believed it took too long for her cul-de-sac to be cleared of snow.

9. Noreen Frank, 18807 Lake Placid Lane, inquired about updates on the leasing/rental issue. Ms. Frank noted that the snow clearing in her area was done quickly and well. It was noted that Lake Placid Lane is a County Street.

10. Steven Muse, 18804 Porterfield Way, noted that the snow removal for FHCA to be done in forty-eight (48) hours was done incredibly quickly. Mr. Muse noted that the CCOC case is over and has been for awhile. He noted that the case has moved to a special appeal process, which has nothing to do with the CCOC and that he had requested that information related to the CCOC case be removed from the website.

11. Yi Zhang, 18815 Lake Placid Lane, inquired about updates on the rental issues and the issue of parking on Lake Placid Lane.

12. Lisa Borg, 18801 Lake Placid Lane, noted that she disagrees with the rental policy for FHCA. Roger Borg noted the accessory parking issue on Lake Placid Lane.

13. Anand and Krupe Sastry, 18806 Lake Placid Lane, noted the issue of parking on Lake Placid Lane, and noted that they are opposed to the rental issue.

14. David Holtzman, President of Fountain Hills Condominium, welcomed the townhouse residents who used the sidewalks in FHC to be safe when the sidewalks in the FHCA had not been cleared. Mr. Holtzman requested that pet owners pick up after their pets.

Mr. Holtzman noted that IKO sent notices to all residents in the Condominium and he stated that residents have no obligation to pay the HOA assessments.

Mr. Holtzman noted that repairs to Cornelius Court drain should come from the Village Homes budget.

15. Tom Brennan, Board member, noted that Dunlevy did not do a satisfactory job of clearing the snow from the community. Mr. Brennan noted that the Board will talk with Dunlevy about future snow clearing in FHCA.

E. MANAGEMENT REPORT

1. Treasurer's Report

Harry Matchett, Treasurer, noted that the budget is close to what was budgeted for FY2016 even with the recent snow event. Mr. Matchett provided the Board with a deficit

explanation on the year ending June 30, 2015. Mr. Matchett noted that most of the over budget expenditures were controllable expenses and therefore should not have been

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overspent.

Mr. Matchett provided information on the deficits on the 2015 FHCA budget ending June 30, 2015 as mostly” controllable” expenses. Frank Walsh disagreed and pointed out that not all of these were “controllable” expenses. When the HOA has to respond to a legal filing then legal fees are incurred and cannot be avoided. Additionally, repairs and maintenance aren’t always controllable either.

Controllable Expenses	Over Budget
Late Meeting Fees	\$1,200.00
Legal Fees - General	\$25,000.00
Litigation Expense	\$13,000.00
Printing and Mailing	\$12,000.00
Repairs and Maintenance	\$20,000.00
Pool Water	\$6,000.00
Total Controllable Expenses	\$77,200.00
Non controllable expense - Snow removal	\$25,000.00
Total Deficit for Year Ended June 30, 2015	\$102,000.00

2. Open Invoices

It was noted that the IKO will check on any invoices that were not paid through TMGA.

It was also suggested that there be greater clarity on the invoices from D&A Dunlevy.

3. Reserve Fund Payback

Harry Matchett noted that, as of December 31, 2015, the amount owed on the loan of \$50,000 is \$19,461.81

4. Cornelius Court Drainage Issue

There was no discussion on the Cornelius Court drainage problem as there are no

options identified to correct the problem.

5. Monthly Assessment for February

It was noted that due to the transition between management companies that monthly assessment payments may not be processed on time and may acquire late fees. The Board suggested waiving late fees for the month of February 2016.

MOTION: (Tom Brennan/Sherry Lee) For the month of February 2016, any homeowner who has a \$0.00 or a positive balance, waive the late fee.

It was noted that some homeowners have a very small balance that is owed and should have the late fee waived on those accounts also.

Amend: (Tom Brennan/Sherry Lee) Waive the late fee for February 2016 for any homeowner with a \$0.00 to negative \$50.00 balance.

Vote: Motion Passed - Unanimous

6. CCOC Information on the Website

The Board discussed whether the information on the CCOC case should be removed from the website. It was noted that the information on the website has been updated.

MOTION: (Nicolas Mahabir/Frank Walsh) The information on the website concerning the CCOC case be left on the website.

Vote: Motion failed -2 ayes/ 2 nays (Lee/Brennan)/2 abstentions (Poon/Matchett)

Management suggested that this matter be voted on by the full seven (7) member Board of Directors.

7. Architectural Review Committee (ARC)

Robert Love, ARC Chair, noted that there are no curbs and only one (1) storm drain on Cornelius Court and that this may be an issue in other areas of FHCA. Mr. Love also noted that the one (1) drain on the cul-de-sac has a grate which becomes clogged with leaves. Mr. Love noted that possible options to correct the drainage issue is to clear the leaves regularly from the grate, rake the fallen leaves, install a trench drain, or install a Duraslot assembly of pipes for drainage.

Mr. Love noted that the ARC Application for 18805 Lake Placid Lane for a walkway was not approved by the ARC as the most neighbor who would be most affected did not sign the application. Mr. Love noted that this neighbor has five (5) days to sign and approve or disapprove in writing the architectural change.

8. Pool Matters

It was discussed whether there was a final walkthrough of the pool at the end of the season. The Board agreed that Management should double check on the final inspection of the pool facilities.

9. Committee Reports

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a. Enforcement Committee

There was no report from the Enforcement Committee.

b. Social Committee

Siu Poon, Social Committee Chair, noted that the Social Committee is recommending community events for the coming months. It was suggested that two yard sales be held, which incur no cost to the community; the first is proposed for April 2nd and the second will be scheduled for sometime in the fall. The Committee also suggests a pool party on July 4th and the annual picnic on September 3rd.

10. Accessory Apartments

It was noted that according to the By-Laws, that homes in FHCA cannot be subdivided for rental purposes unless there is approval from the Board.

MOTION: (Tom Brennan/Sherry Lee) Have IKO send Cheryl Lohman, 18805 Lake Placid Lane, a formal letter informing her that a complaint has been made to the Board regarding a potential rental situation in the homes: that if in fact, she is renting out portions of her home, renting is not allowed under the Fountain Hills community Association governing documents: that if she is renting she needs to cease and desist withing thirty (30) days of the date of the letter or face substantial fines.

Amend: (Tom Brennan/Sherry Lee) Have IKO send a letter to 18805 Lake Placid Lane stating that the homeowner is in violation of the rental policy in FHCA.

Vote: Motion Passed - Unanimous

The Board received a request from 18817 Lake Placid Lane to subdivide the house for rental.

MOTION: (Tom Brennan/Sherry Lee) Deny the request of 18817 Lake Placid Lane for rental of subdivision of house.

Vote: Motion Passed - Unanimous

E. CLOSED MEETING

MOTION: (Tom Brennan/Sherry Lee) Move into Closed Meeting at 9:04 p.m.

Vote: Motion Passed - Unanimous

F. RESULTS OF THE CLOSED MEETING

The Board took action on a matter of parking passes, requests for waivers, and a payment plan.

G. ADJOURNMENT

MOTION: (Tom Brennan/Siu Poon) Adjourn the Closed Meeting and Board of Directors Meeting at 10:00 p.m.

Vote: Motion Passed - Unanimous

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