

**Fountain Hills Community Association  
Board of Directors Meeting  
June 2, 2011**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the UpCounty Regional Service Center on Thursday, June 2, 2011 at 7:30 p.m.

**Board Members Present:**

Phil Suter, President  
Vernard McBeth, Vice President  
Daryl McFadden, Treasurer  
Frank Walsh, Secretary  
Shirley Fair, Director  
Nicolm Mahabir, Director  
Steven Muse, Director

**Also Present:**

Stephon Collins, Community Manager  
Craig Wilson, Vanguard Management  
Ruth Ann Allen, Recording Secretary

**Committee Chair Present:**

Maggie Suter, Architectural Review Committee

**Homeowners Present:**

Clifford and Rosemary Gonsalves, 18802 Porterfield Way  
Carolynn P. Sims, 13105 Ponsford Place  
Aron Holzman, 13526 Hamlet Square Court  
Edward Stelmack, 18900 Fountain Hills Drive  
Kanagasabai Pathmacaanthan, 18927 Porterfield Way, Hearing Scheduled at 8:55 p.m.

**A. CALL TO ORDER**

The June 2011 Board of Directors Meeting was called to order by Phil Suter at 7:35 p.m.

**B. MINUTES**

1. May 5, 2011 Board of Directors Meeting Minutes

**MOTION:** (Phil Suter/Daryl McFadden) Accept the May 5, 2011 Board of Directors Meeting Minutes as amended by Phil Suter and Vernard McBeth.

**Vote:** Motion Passed - 6 ayes/0 nays/1 Abstention (Fair)

**C. COMMITTEE REPORTS**

1. Social Committee

Nicolm Mahabir, Board Member liaison to the Social Committee, stated that Sue Poon is willing to chair the Social Committee again this year. The Social Committee is planning the annual Fountain Hills Community event for Saturday, September 24, 2011.

Comment [Comment1]: S 1727444319

The Social Committee is requesting a budget of up to \$1,500.00 for this event.

**MOTION:** (Steven Muse/Phil Suter) Approve up to \$1,500.00 for the Social Committee to plan a community event on September 24, 2011.

**Vote:** Motion Passed - 6 ayes/0 nays/1 abstention (McBeth)

#### **D. MANAGEMENT REPORT**

##### 1. Pool Passes

Phil Suter reported that as of May 14<sup>th</sup> about 1100 pool passes have been handed out to residents. It takes about 5-10 minutes per applicant to complete the process. Mr. Suter mentioned that it is going to be confusing for homeowners who have not yet received their pool passes, since there is only one published date remaining for them to pick up their pool passes (June 11<sup>th</sup>). Mr. Suter suggested that the two (2) life guards who helped distribute pool passes, be asked to work an extra hour on Tuesdays from 8:00 p.m. to 9:00 p.m. and Saturdays from 9:00 a.m. to 10:00 a.m. so residents can come at those times to pick up their pool passes for the rest of the pool season.

**MOTION:** (Phil Suter/Frank Walsh) Hire RSV Pools to have the Pool Manager and the Pool Assistant Manager to work an extra hour on Saturday from 9:00 a.m. to 10:00 a.m. and Tuesdays from 8:00 p.m. to 9:00 p.m. for pool pass processing.

**Vote:** Motion Passed - 4 ayes/1 nay (McFadden)/2 abstentions (McBeth/Muse)

##### 2. Guest Passes

Phil Suter stated he had implemented set up the computer system on the first day of pool pass distribution to include guest passes, but the process wasn't followed through in subsequent pool pass distributions, and residents did not receive guest passes. Vernard McBeth stated that it would cost approximately \$125.00 to have someone come to build a software database for guest passes. Mr. Suter stated that guest passes can be attached to member's pool passes, and the system just needs to have the database uploaded. Homeowner Ed Stelmack offered to help upload the pool pass system for guest passes. Steven Muse noted that Jennifer Posner had helped with data entry and pool pass distribution and requested that she be compensated for her time. Mr. Muse stated that he and others can verify that Ms. Posner performed this work. Mr. Walsh asked if the Board had a support contract to help with the guest passes and Management stated that the Board did not.

**MOTION:** (Steven Muse/Daryl McFadden) Compensate Jennifer Posner \$50.00 for data entry and pool pass distribution.

Nicolm Mahabir stated that this practice of hiring someone without the Board's prior approval should not occur in the future. Phil Suter agreed and stated that contractors should not be hired without Board approval.

**Vote:** Motion Passed - 5 ayes/0 nays/2 abstentions (McBeth/Walsh)

#### **Dispense with Management Report for Homeowners Forum**

**E. HOMEOWNERS FORUM**

1. Aron Holzman, 13526 Hamlet Square Court was present to voice his concerns to the Board over the condemned house at 13533 Hamlet Square Court and inquired as to what will be done with this property.

Mr. Suter and Management contacted the County and asked if the Association could gain access to the house at 13538 Hamlet Square Court to determine what repairs are needed for the interior. Management was told that the County will not allow such access.

Management stated that the County intends to sell the house at a tax lien sale on June 13, 2011. If the house does not sell, the house will revert back to the County; the next attempt to sell it will be next year. Management discussed various options for Association enforcement/involvement with this home.

Mr. Holzman mentioned that there are eight (8) properties for sale on Hamlet Square Court, and buyers do not want to buy a house on Hamlet Square with the condemned house there.

Vernard McBeth stated that he had suggested that some action be taken by previous Boards but it was a struggle.

Phil Suter stated that the Association should wait and see what happens to the property on June 13<sup>th</sup>, and if the property doesn't sell, then the Association should get their attorney involved in this situation.

Mr. Holzman mentioned that he has pictures of the interior of 13533 Hamlet Square Court that were taken before the house was boarded up; he will send these to the Board.

Comment [Comment2]: SStelmack????

2. Clifford and Rosemary Gonsalves, 18802 Porterfield Way, received a violation notice for 1) missing hardware on their front screen door and 2) that their home-based business impedes the flow of traffic. Mr. Gonsalves noted that he had removed the air-pressure arm to the screen door, as it the door was making too much noise when it closed. Mr. Gonsalves stated that he could not understand why the missing hardware was a problem as it was on the inside of his screen door toward the interior of his house.

Mr. Gonsalves also stated that they have run a home-based learning center from their home for 6-7 years and have never received complaints concerning parking or obstructing the flow of traffic in that area from the trash truck drivers, snow plow drivers, or the mail carriers.

Steven Muse, Enforcement Committee, mentioned that both the recycling truck driver and the snowplow driver have mentioned that Porterfield Way has been blocked when they needed to get their vehicles through. Vehicles are also being parked on the circle and in front of resident's driveways.

The Board will discuss this matter with the Enforcement Committee and the

Management Company.

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## **F. HEARINGS**

### 1. 18927 Porterfield Way

The Board requested that the homeowner of 18927 Porterfield Way attend a Hearing for the repeat violation of overgrown hedges and trees.

In 2002, the homeowner applied to use trees as a natural fence in front of his house; that application was approved.

The current violation is for trimming of the hedge. The homeowner stated that he did not understand what needed to be done to trim the hedge. The way the trees grow

they cannot be trimmed on the top. The Board requested that the trees be trimmed on the sides. Board Member Nicolm Mahabir offered to meet with the homeowner and talk with him about trimming of the trees. The homeowner paid the fine.

### 2. 13523 Hamlet Square Court

The homeowner was sent a violation notice for missing tin/copper on the roof. The violation was not corrected and the homeowner was requested to come for a Hearing. The homeowner did not attend the Hearing.

### 3. 13527 Hamlet Square Court

The homeowner was sent a violation notice for rotting of the soffit on the second (2<sup>nd</sup>) floor bedroom. The violation was not corrected and the homeowner was requested to come for a Hearing. The homeowner did not attend the Hearing.

### 4. 13110 Lake Geneva Way

The homeowner was sent a violation notice for a trashcan stored in public view on non-collection days. The violation was not corrected and the homeowner was requested to come for a Hearing. The homeowner did not attend the Hearing.

## **G. MANAGEMENT REPORT (cont'd)**

### 3. Landscape Upkeep of Vacant Homes

Management was requested by the Board to get a quote from McFall & Berry for maintaining the landscaping of vacant houses in the community. The quote for mulching, granular pre-emergent herbicide, trimming, and pruning (and grass cutting, if needed) will be \$95.00 for townhouses, and \$165.00 for single-family homes. It was noted that the landscape company already cuts the grass of the townhouses. At the present, there are no vacant single-family houses in the community.

The Board discussed if this service should be provided two times (2x) year or on an as needed basis.

**MOTION:** (Vernard McBeth/Nicolm Mahabir) Allow the Landscape Committee or the

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Board President, or his designee, to have authority to approve landscape maintenance on foreclosed or condemned property on an as-needed basis.

Frank Walsh noted that there was no price associated with this service in the motion.

**Amend:** (Vernard McBeth/Nicolm Mahabir) not to exceed \$165.00 per occurrence.

**Vote:** Motion passed - 6 ayes/0 nays/1 abstention (McBeth)

**Comment [Comment3]:** PSI was under the assumption that if you make a motion, that means you are "in favor" of the motion?

4. Concrete/Sidewalk Repairs

Management provided the Board with a proposal for concrete/sidewalk repairs in April. Management stated that if a contract was not approved now, the price would increase. Mr. McBeth questioned as to why the price would increase. Phil Suter mentioned that he was not satisfied with the contract proposals and stated that he thought the bids included additional work which was not necessary. The Board agreed to discuss the concrete/sidewalk repairs at a future Board Meeting.

5. Shared Maintenance for Harmony Woods Lane with Towns of Chestnut Oaks

Vernard McBeth noted several areas of the shared maintenance contract for Harmony Woods Lane with the Towns of Chestnut Oaks that have not been followed. In particular, Chestnut Oaks is required to provide Fountain Hills Community Association an accounting of money spent during the prior year within ninety (90) days of the first of the year. They are also required to refund funds provided by Fountain Hills Community Association in excess of what was spent.

Management stated that the Board is sent a draft copy of the budgeted amount for the line item of the shared maintenance contract every year, and the Board has agreed to it every year. Mr. McBeth inquired if there was a way to get back the money that was not spent by Chestnut Oaks on maintenance, as Fountain Hills has not received any payments. Further discussion of this matter was tabled until the next Board Meeting.

6. Request for Waiver of Late Fee for 18902 Porterfield Way

The homeowner of 18902 Porterfield Way requested a waiver of the late fee of \$5.00 assessed to the account in April 2011.

**MOTION:** (Phil Suter/Daryl McFadden) Waive the \$5.00 late fee for 18902 Porterfield Way.

**Vote:** Motion Passed - 6 ayes/0/nays/1 abstention (McBeth)

7. Request for Waiver of Late Fee for 18733 Harmony Woods Lane

The homeowner of 18733 Harmony Woods Lane requested a waiver of the \$5.00 late fee assessed to the account in November 2010.

**MOTION:** (Phil Suter/Daryl McFadden) Waive the \$5.00 late fee for 18733 Harmony Woods Lane.

**Vote:** Motion Passed - 6 ayes/0/nays/1 abstention (McBeth)

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#### **H. OLD BUSINESS**

##### **1. Landscaping**

Vernard McBeth mentioned that he had talked with Denison Landscaping and asked them to provide a landscape plan for the community. Denison Landscaping had provided Mr. McBeth with a landscape plan with detailed drawings within approximately 10 days. Mr. McBeth noted that requests for bids were not sent out to other landscape companies. Mr. Suter questioned as to where the origin of the landscaping upgrades came from as he was not on the previous Board and if multiple bids were solicited. Management stated that the landscaping upgrade suggestion came from the previous Board which requested that McFall & Berry provide a landscaping update proposal.

Phil Suter also noted that it was never brought up to the Board that other bids should be solicited until after the contract was signed, and that McFall & Berry has already started the landscape work in the community.

Mr. Suter noted that Mr. McBeth's point was noted and is on the record.

#### **I. ADJOURNMENT**

**MOTION:** (Phil Suter/Daryl McFadden) Adjourn the Board of Directors Meeting at 9:45 p.m.

**Vote:** Motion Passed - Unanimous