

**Fountain Hills Community Association  
Board of Directors Meeting  
May 7, 2009**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the UpCounty Regional Services Center on May 7, 2009 at 7:30 p.m.

**Board Members Present:**

Siu Poon, President  
Sue Adamkiewicz, Vice President  
David Holtzman, Treasurer  
Frank Walsh, Secretary  
Daryl McFadden, Director  
Vernard McBeth, Director (Arrived at 7:50 p.m.)

**Also Present:**

Stephon Collin, Community Manager  
Ruth Ann Allen, Recording Secretary  
Matt Emery, Winkler Pools

**Board Member Absent:**

Shirley Fair, Director

**Homeowners Present:**

Carmen Berrios, 13241 Lake Geneva Way  
Tom McDowell, 18911 Porterfield Way

**A. CALL TO ORDER**

The Board of Directors Meeting was called to order by Siu Poon at 7:32 p.m.

**B. HOMEOWNERS FORUM**

1. Carmen Berrios, 13241 Lake Geneva Way, stated that she was present at the meeting to become more involved in the community. She asked the Board if the police had contacted them about the Police Awareness Program. The Board did not know about this program.

David Holtzman stated that the Board had a presentation about a year ago from the county police concerning the Neighborhood Watch Program. He also stated that the Enforcement Committee would help make the community aware of the community rules and regulations.

2. Tom McDowell, 18911 Porterfield Way, mentioned that he was pleased to see that the Village assessments had decreased somewhat. He also was pleased to see that the trees along the streets had been mulched.

**C. MINUTES**

1. March Board Meeting Minutes

The corrections to the March Board Meeting minutes, from Board members Frank Walsh and David Holtzman, had been received by Management.

Management will get these corrected minutes to the Recording Secretary.

**MOTION:** (David Holtzman/Sue Adamkiewics) Approve the March 2009 Board of Directors Meeting minutes with inclusions of all amended corrections to be received by Recording Secretary at the end of work on Monday.

**Vote:** Passed - 5 ayes

2. April Board Meeting Minutes

Frank Walsh questioned the use of referring to the Management Packet item number versus the homeowner=s address for the motions on page 6 of the April 2, 2009 Board Meeting Minutes. David Holtzman explained that these were approved during regular session instead of Executive Session. Frank Walsh requested that these issues be discussed and voted on during Executive Session.

**MOTION:** (David Holtzman/Daryl McFadden) Approve the minutes of the April 2, 2009 Board of Directors Meeting Minutes with amended changes by the Board.

**Vote:** Passed - 4 ayes/1 abstention (Frank)

**D. WINKLER POOLS**

Matt Emery, the regional manager from Winkler Pools, was present regarding the Board=s concerns over pool operations. Mr. Emery stated that the underwater lights have been replaced. There are still some minor repairs that need to be done to the pool, but this will not affect the filling of the pool, which will be completed by the opening date of May 23, 2009; the beach pool has already been filled.

Mr. Emery apologized for the water being discharged onto the Condominium property. He mentioned there has been some communication problems with the service department, so the service department will now report directly to Mr. Emery.

There were plumbing issues related to the winterization of the pool. These issues have been taken care of at no expense to the community.

David Holtzman had some concerns over staffing, especially wanting assurance that the guards will be able to communicate in English. Mr. Emery stated that the International Staffing Director now goes to the countries where the international life guards are hired to be sure that they have good communication skills.

Frank Walsh asked if the fountains would be running by this coming weekend. The fountains will be up and running by May 15, 2009 as in the contract.

Frank Walsh also noted that lights have been left on at night by the pool. Stephon Collins stated that he included this in an earlier note to Winkler Pools that stated Fountain Hills was not pleased with the service so far.

**E. REPORTS OF OFFICERS AND DIRECTORS**

1. David Holtzman, Treasurer, expressed his concern about the number of large delinquencies in the townhouses. He mentioned that he has not received a collection report for several meetings. He requested that Management have the collection report available for the June Board meeting detailing the status for the delinquencies that are greater than 90 days in arrears.

Mr. Holtzman mentioned it is time to clean up the books and discharge the

balances of \$10.00 and \$15.00; as trying to collect this money would cost more money that taking them off the books. These amounts can be deducted from income. The fiscal year ends June 30, 2009.

2. Sue Adamkiewicz, Vice President, mentioned that she would like to see a community cookout at the pool sometime over the summer. Siu Poon mentioned that there is money in the budget for social events. The event just needs to be arranged. Ms. Poon suggested that Ms. Adamkiewicz suggest some dates to bring before the Board. Siu Poon is also willing to help with planning the food. Carmen Berrios also mentioned that she would be willing to help plan this event.

## **F. REPORTS OF COMMITTEES**

### **1. Fountain Hills Condominium**

David Holtzman mentioned that the Condominium is beginning a project of replacing the faulty fire sprinkler heads that were recalled by the manufacturer several years ago, but the community had not heard about the recall until recently. This work should begin after Memorial Day, so homeowners may notice work trucks and fire department vehicles in the community.

Mr. Holtzman also mentioned that the condominium is having a severe problem with bulk trash being placed in the trash corrals. The removal of this trash costs extra money to the Condominium, enough that the Board is willing to take action, calling the police and prosecuting those that are caught placing bulk trash in the trash corrals.

Condominium Board members are also prepared to put notices on vehicles that are parked illegally in the condominium. This problem becomes worse once the pool season starts.

The vote on the Condominium budget will be held on Thursday, May 14, 2009.

### **2. Enforcement Committee**

The approval of the Terms of Reference needs to be approved before the Enforcement Committee can move ahead.

### **3. ARC**

There were no ARC applications for this meeting.

## **G. MANAGEMENT REPORT**

### **1. Reimbursement for Towing**

The homeowner at 13303 Tivoli Fountain Court has requested reimbursement for the \$183.00 he had to pay G&G Towing after his car was towed.

**MOTION:** (Vernard McBeth/Daryl McFadden) Deny the reimbursement of the \$183.00 towing charge for 13303 Tivoli Fountain Court.

**Vote:** Passed - 6 ayes

### **2. Pool House Painting**

Management reported that the painting and repairs to the pool house are almost complete. T&C Painting has done a very good job. There are a few more repairs to be

done after the water leak that was fixed by Winkler Pools. T&C will repair these items at Winkler Pool=s expense.

### 3. FY2010 Operating Budget

The Board opened discussion of the FY2010 budget to homeowners. Tom McDowell asked how the Village portion of the assessments went down. Mr. Holtzman replied that expenditures resulted in an overage and the reserves are fully funded. The excess amount in the 2009 budget were applied to the FY2010 budget.

**MOTION:** (David Holtzman/Sue Adamkiewicz) Approve the FY 2010 operating budget as proposed by the Board of Directors in April 2009 and distributed to the homeowners and unit owners. The assessments for the Village homes is \$54.20, the townhouses is \$75.20, the Condominiums is \$40.84 and the single family detached is \$46.20.

**Vote:** Passed - 5 ayes/1 nay (McBeth)

## H. OLD BUSINESS

### 1. The Overgrown Yard at 19004 Mediterranean Drive

Vernard McBeth asked about the status of an overgrown yard of trees and bushes at 19004 Mediterranean Drive. Management has sent a violation letter. Mr. McBeth stated that he observes this yard every day and since the covenants state that residents can be fined \$25.00 for each occurrence, the owners of this property could be fined every single day that the yard is not cleaned up. Management stated that the Board needs to determine what Aper occurrence@ means; every day, every other day, every two (2) weeks.

David Holtzman stated that in Article 13, Section 1, the plot shall be maintained in good order, with the pruning and cutting of trees and bushes, good property maintenance, and the Board can appoint someone to correct such violations.

**MOTION:** (David Holtzman/ Daryl McFadden) The Board will have Management send a letter to homeowners at 19004 Mediterranean Drive, advising them of being in violation of Article 13, Section 1 for the failure to maintain the shrubbery and plantings in good order. If the work is not corrected within ten (10) days of receipt of letter, a fine will be imposed of \$25.00 per week. If the homeowner wishes to contest the fine, he is requested to come to the June Board Meeting.

**AMEND:** (David Holtzman/Daryl McFadden) Remove the \$25.00 per week fine and state per occurrence, and homeowner must come into compliance within fifteen (15) days of receipt of the letter.

**Vote:** Failed - 3 ayes/3 opposed (McFadden, Adamkiewicz, McBeth)

Management will send letter to homeowner stating that a fine of \$25.00 per occurrence will be instated if the yard is not cleaned up within fifteen (15) days.

Vernard McBeth also mentioned there are three (3) other houses in the community that have overgrown yards. Stephon Collins requested that Mr. McBeth email the addresses to him.

### 2. Playground Equipment Replacement

Vernard McBeth questioned the status of the reserve schedule for the replacement of the playground equipment. Management stated that RFP=s have been sent out

to other companies, but the quotes have not come back. The quote from Playground Specialists for replacement of comparable equipment at the Lake Geneva tot lot was \$31,000.00. The Board wanted more discussion on options for play equipment before making a decision.

David Holtzman stated that the reserve study for replacing playgrounds was \$18,000.00. The Board did not object to reviewing proposals for Lake Geneva, but the cost seemed out of proportion for replacement of the play equipment. The Board is seeking bids from other companies and being prudent with the finances.

Management should have the updated information on RFPs for discussion at the June Board Meeting.

### 3. Update on Enforcement Committee

Frank Walsh questioned whether there is actually an Enforcement Committee for Fountain Hills Community Association. Siu Poon stated that Steven Muse is the chairperson, and he received the Terms of Reference last month. The Terms of Reference needs to be reviewed and voted on.

Vernard McBeth mentioned that a representative from the Fountain Hills Condominium should be on the Enforcement Committee for parity and equity sake.

David Holtzman stated that the Enforcement Committee cannot include the Condominium as the Condominium owns its property outright and has its own covenants.

Management will check with legal counsel on this issue.

## **I. NEW BUSINESS**

### 1. Community Flower Garden

It was mentioned that a homeowner was interested in planting a community flower garden. The Board suggested that the homeowner come to a Board meeting to present their ideas.

## **J. ADJOURNMENT**

**MOTION:** (Frank Walsh/Daryl McFadden) Adjourn the Regular Board Meeting for Executive Session at 8:50 p.m.

**Vote:** Passed - 6 ayes