



**FOUNTAIN HILLS**  
COMMUNITY ASSOCIATION, INC.

**TERMS OF REFERENCE**  
**POOL COMMITTEE**

**Adopted: 2002**  
Revised: May, 2012

---

**WHEREAS**, Article VII, Sections 1. And 2. of the BY-LAWS for the Fountain Hills Community Association, Inc. (Association) provides that the Board of Directors (Board) shall have certain powers and duties necessary for the administration of the affairs of the Association, and

**WHEREAS**, Article XI of the BY-LAWS for the Association provides that the Association may appoint an Architectural Review Committee, and...other Committees as deemed appropriate in carrying out its purposes, and

**WHEREAS**, to better carry out such purposes, the Board of Directors deems it necessary to establish a committee to advise and assist the Board with respect to the operation of the swimming pool facilities; in the establishment of standards and policies for the operation of the swimming pool facilities; in the development, review, and revision of the swimming pool rules and regulations; in establishing procedures for distribution of swimming pool passes and assisting in distributing such swimming pool passes; and in the monitoring the operation of the swimming pool facilities.

**NOW, THEREFORE, BE IT RESOLVED THAT:** the following terms of reference be adopted for a Pool Committee:

I. Purpose:

The primary responsibilities of the Pool Committee (hereinafter Committee) are as follows:

- A. To advise the Board with respect to the operation of the swimming pool facilities;
- B. To advise the Board with respect to the establishment of standards policies for the operation of the swimming pool facilities
- C. To assist the Board of Director in the development, review and revision to the swimming pool rules and regulations;
- D. To assist the Board in developing the policies and procedures for the distribution of annual swimming pool passes and assisting in the distribution of annual swimming pool passes;
- E. To assist the Board of Directors and Management Agent in monitoring the safety and cleanliness of the swimming pool facilities.

II. Organization:

A. Membership:

1. Members of the Committee may be homeowners or residents, appointed by the Board of Directors.
2. Number of Members.
  - a. The Board of Directors will endeavor to appoint a Committee comprising a number of at least one (1) homeowner or resident of the Association.
  - b. Total membership shall not exceed seven (7) without approval of the Board of Directors.
3. All members of the Committee are appointed by, and will serve at the pleasure of the Board of Directors.
4. If zero (0) homeowners or residents are willing to serve on the Committee, the Board of Directors may assume all functions and duties of the Committee as time may permit.
5. A member of the Board of Directors shall be appointed as a liaison to the Committee and to provide updates of the Committee activities, if necessary, beyond the Committee's monthly written report (if necessary).
6. Chairperson:
  - a. A Chairperson shall serve as the Chair of the Committee, be a homeowner appointed by the Board of Directors, and serve a one (1) year term.
  - b. Functions of the Chairperson include, but are not limited to:
    - (1) To coordinate and supervise the Committee activities and meetings to assure that committee responsibilities are met;
    - (2) Encourage and support participation by all Committee members, and ensure that such persons are kept advised of Committee activities;
    - (3) Prepare written Committee reports (as needed) for submission to the Board of Directors via the Management Agent, no later than ten (10) days prior to each Board meeting;
    - (4) Insure that all members of the Committee are familiar with its terms of reference;
    - (5) Attend all Board meetings (as needed) *in an advisory capacity* concerning Committee-proposed motions; and
    - (6) Monitor inquiries and responses to and from the Committee's email address which include:
      - a) Coordinating with the Committee to ensure that all inquiries are responded to in a timely manner; and
      - b) Ensuring that any suggestions or concerns are passed onto the Board of Directors, as necessary.
7. Board Liaison
  - a. The Board of Directors shall appoint a member of the Board to serve as a

member of, and as the Board's liaison to, the committee, and to provide updates of the committee activities, if necessary, beyond the committee's monthly written report, if necessary.

- b. The Board Liaison may also serve as the Chairperson, subject to approval from the Board of Directors.
- c. If the Committee does not have an appointed Chairperson, the Board Liaison will serve as the interim Chairperson.

8. Vacancies

- a. The Chair shall serve at the discretion of the Board of Directors. The membership of the Committee may vote to recommend to the Board of Directors the removal of the Chair with or without cause.
- b. Vacancies created by removal, death, or by resignation of the Chair, shall be filled by an acting Chair selected by the Committee membership until an appointment is made by the Board of Directors.

III. Duties:

A. Swimming Pool Operation and Maintenance:

- 1. The members of the Committee shall be frequent visitors of the swimming pool facilities and shall make observations of the safety, operation, and cleanliness of the swimming pool facilities. The observations shall be promptly reported to the Management Agent and Board Liaison for investigation and follow-up. Members of the Committee shall, at no time, attempt to direct the performance of the members of the swimming pool staff.

B. Swimming Pool Rules & Regulations:

- 1. The Committee shall annually review the approved rules & regulations for the use of the swimming pool facilities and shall recommend changes, if any, to the Board of Directors.

C. Pool Pass Distribution:

- 1. The Committee shall assist the Board of Directors in development of policies and procedures for the distribution of annual swimming pool passes if requested by the Board of Directors.
- 2. The Committee shall coordinate and assist with the distribution of annual swimming pool passes to homeowners and residents pursuant to the policies and procedures that have been established and approved by the Board of Directors if requested by the Board of Directors.
- 3. The Committee shall assist with the management of the pool pass database pursuant to the standard operating procedures developed by the Board of Directors at the request of the Board of Directors.

IV. Meetings:

- A. The Committee shall meet as necessary during the months of March through September of each calendar year.

- B. All meetings of the Committee shall be open to attendance by members of the Association; non-committee members may participate, but not vote, at Committee meetings, at the discretion of the Chairperson.
- C. The Committee is responsible for advising the Board of Directors and Management Agent of the date, place, and time of each meeting at least two (2) days in advance of each meeting.
- D. Quorum: Forty percent (40%) of appointed members must be present at a Committee meeting for a quorum to be reached and business to be conducted.
- E. Voting: The affirmative vote of a majority of the voting members present at a meeting where a quorum is achieved is required to make any decision pursuant to the authority contained in this resolution.

V. Removal of Members:

- A. A member of the Committee will be deemed to be automatically removed from the committee if, at any time, the member's assessments remain unpaid for a period exceeding thirty (30) days.
- B. A member of the Committee will be deemed to be automatically removed from the committee for failure to attend three consecutive committee meetings or failure to attend four committee meetings, including any special purpose meetings, during any twelve (12) month period.
- C. A member of the Committee will be deemed to be automatically removed from the committee if, at any time, the member is in violation of any covenant or rule of the Association.
- D. A member of the Committee may be removed from the committee at any time at the sole discretion of the Board of Directors.

VI. Reporting:

- A. The Committee shall keep minutes of all meetings and shall provide a copy of all minutes to the Board of Directors at or before each monthly Board of Directors meeting.
- B. The Chairperson of the Committee shall attend meetings of the Board of Directors and present an oral report of the committee's activities during the preceding month, if necessary. The Chairperson may, if otherwise unavailable, appoint another member of the Committee to attend a monthly Board meeting to present such report.