

**Fountain Hills Community Association  
Board of Directors Meeting  
September 7, 2017**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Germantown Regional Services Center on Thursday, September 7, 2017 at 7:30 p.m.

**Board Members Present:**

Harry Matchett, President  
Sherry Lee, Vice President  
Hari Donthi, Treasurer  
Frank Walsh, Secretary  
Robert Love, Director  
JoAnn Windsor, Director

**Also Present:**

Julie Hoffmann, Community Manager  
Ruth Ann Allen, Recording Secretary

**A. CALL TO ORDER**

The September Board of Directors Meeting was called to order by Harry Matchett at 7:30 p.m.

**B. HOMEOWNERS FORUM**

1. Cesar Mendizabol, 18904 Fountain Hills Drive, noted that he had received a violation letter for parking his work vehicle on Fountain Hills Drive, which is a County street. Mr. Mendizabol noted that work vehicles are allowed to park on public streets. Harry Matchett, Enforcement Committee, stated that he would follow up on this matter.
  
2. Homeowners from Porterfield Way were present to discuss a rental situation on Porterfield Way. There seems to be three (3) or four (4) families living in one house that was sublet. This large number of residents creates parking problems and the trash truck can't always get through. It was also noted that a dog from this home also runs around the area without a leash. Harry Matchett noted that rental situations are difficult for the Association to enforce and that proof is needed.
  - One homeowner submitted an architectural application to the Board for installation of a fence to keep the renters from intruding onto his property.
  - Mr. Matchett recommended that the homeowners call the Police, contact Landlord and Tenant Affairs, and report the dog to animal control.
  - Mr. Matchett requested IKO provide the homeowners with the Germantown's special task force contact officer name and phone number.
  
3. Robert Love, Board Member, noted that the mailboxes in the community need cleaning, the entrances to the community need to be attended to, and the ceramic tile in the pool house needs cleaning.

4. Frank Walsh, Board Member, noted that a bed frame is leaning up against the cemetery fence on Village Fountain Drive and three bags of mulch have also been left in that area.

#### C. MINUTES

1. July 6, 2017 Board of Directors Meeting Minutes

**MOTION:** (Harry Matchett/Sherry Lee) Approve the July 6, 2017 Board of Directors Meeting Minutes as edited at the September 7, 2017 Board of Directors along with edits by Frank Walsh.  
**Vote:** Motion Passed – 5 ayes/1 nay (Walsh)/0 abstentions

2. August 3, 2017 Board of Directors Meeting Minutes

**MOTION:** (Harry Matchett/Sherry Lee) Table the approval of the August 3, 2017 Board of Directors Meeting.  
**Vote:** Motion Passed – 5 ayes/1 nay (Love)/ 0 abstentions

#### D. OFFICER REPORTS

1. President's Report

Harry Matchett noted that the Association is still in the first three (3) months of the fiscal year and the Association has already incurred an unplanned cost of \$29,000.00 for wood carpet for the tot lots. Mr. Matchett stated that it was prudent for the Board to keep this in mind when approving further expenses for FHCA. Mr. Matchett noted that it was not advisable to move monies from other line items in the budget to pay for this expense.

Mr. Matchett also noted that a payment made to IKO on June 1, 2017 for Board Meeting Minutes was in error and FHCA will be reimbursed.

Mr. Matchett followed up on his July 6, 2017 inquiry of payments to Brighton Dam of \$3,637.00, \$2,192.00 and \$336.28 for snow removal. The payments were made in June 2017.

Mr. Matchett also noted that the auditor's report has not been available for residents to review. Management will check on this matter and send the final report to Board members.

Mr. Matchett noted that on August 12, he and JoAnn Windsor checked on the wood carpet of the tot lots. Mr. Matchett noted that Lake Geneva Way had the contracted five inches (5") of mulch. The tot lots at Tivoli Fountain Court, Rushing Water Way, Little Star Lane, and Autumn Mist Drive only had three (3) inches of wood carpet. The tot lot at Harmony Woods had not been started yet. The matter of the lesser amount of wood carpet was brought to Brighton Dam's attention and additional wood carpet will be added to all the tot lots except Lake Geneva.

#### E. COMMITTEE REPORTS

1. Architectural Review Committee (ARC)

Sui Poon, liaison to the Board for the ARC, provided a written update on the ARC as of September 5, 2017. This report was read by JoAnn Windsor to be entered into the minutes and are attached to this document as Appendix 1.

2. Social Committee

Siu Poon reported that the picnic went well and a good time was had even with the rain. Ms. Poon submitted invoices in the amount of \$326.88 for supplies for the picnic.

**MOTION:** (Frank Walsh/Robert Love) Approve the expenses for the picnic of \$326.88 from the Social Committee.

**Vote:** Motion Passed – 5 ayes/0 nays/1 abstention (Matchett)

Ms. Poon noted that a homeowner inquired if funds from the Social Committee could be used for a block party. Ms. Poon noted that unless the social function benefits the entire community, Social Committee funds cannot be used.

3. Enforcement Committee

Harry Matchett stated that the Enforcement Committee performed a community-wide inspection on August 12, 2017 and approximately forty (40) violation notices were sent out.

**F. UNFINISHED BUSINESS**

1. Tot Lot Project Update

Harry Matchett noted that when the tot lots were inspected, they noted ponding of water and that the wood chips were floating on the water at the Lake Geneva tot lot. Photos were sent to Brighton Dam to inform them of this situation. Mr. Matchett inquired why Brighton Dam did not address the water issues during the initial repairs to the eroded section of the Lake Geneva tot lot. Mr. Matchett noted that the Association signed a contract with Brighton Dam to fix the erosion problem and after the work the water doesn't drain, which will make the problem worse. Mr. Matchett and Robert Love stated that the contractor should come back and fix the problem at their expense.

Management noted that Brighton Dam is still working on a plan for the standing water in the Lake Geneva tot lot. Mr. Matchett inquired why this issue was not repaired correctly the first time. It was noted that Brighton Dam did work on the water overflow in the tot lot, but this work created this new issue of water retention.

Frank Walsh noted that he did not believe that the \$6,250.00 special bid was included in the work by Brighton Dam and would like to see the invoice.

2. Pepco Sales Tax Refund

Management noted that the receipts from Pepco have been reviewed to calculate the sales tax amount that should be refunded to the Association.

Management sent in a request to Pepco for a reimbursement to Pepco for the sales tax and thought the amount would be credited on the bill. However, it appears that there is a process that the State of Maryland requires for the Association to request the sales tax refund.

Harry Matchett noted that he has never seen any documentation that Associations are exempt from the sales tax. Management will provide Mr. Matchett such information; Management also noted that the current Pepco bills do not include sales tax.

3. Community Pools Refund

Management noted that there has been no contact with Community Pools regarding reimbursement of the \$720.80 that Community Pools collected during the 2016 pool season for

leasing the AED. Mr. Matchett noted that IKO improperly authorized this payment to Community Pools, as the AED at the pool was the property of FHCA.

Management said that IKO would have their attorney send a letter to Community Pools regarding this issue and provide the Board with a copy of the letter from the attorney to the Board and keep the Board updated on any follow-up. The Association will not incur any charges from the attorney.

4. Landscaping – Village Found Drive Entrance

Management provided the Board with the invoice from Brighton Dam in the amount of \$606.00 for clean-up and removal of the fire-damaged plantings and mulch the area.

**G. NEW BUSINESS**

1. Landscaping at Entrance to Village Fountain Drive

Management provided the Board with a proposal from Brighton Dam for landscaping at the entrance to Village Fountain Drive in the amount of \$2,950.00. The Board noted that any landscaping in that area would not be done until Fall and that the grounds maintenance contract already calls for Fall flowers in that area. The Board agreed not to approve any additional landscaping to the area at his time.

2. Tree Trimming

Management provided the Board with a proposal from Brighton Dam for tree trimming in the community. Any decision on the tree trimming was tabled. A proposal was also submitted to remove a fallen tree at Fountain Club Drive and Great Seneca Highway, which is an eyesore and a possible safety issues, in the amount of \$1,200.00.

**MOTION:** (Robert Love, JoAnn Windsor) Approve the proposal from Brighton Dam to remove the fallen tree at Fountain Club Drive and Great Seneca Highway in the amount of \$1,200.00.

**Vote:** - 5 ayes/1 nay (Matchett)/ 0 abstentions

3. Waterline Repairs – Fountain Club Drive/Sparkling Water Drive

Management provided the Board with proposals from R.V. Carey Plumbing & Heating and Stang Plumbing & Heating for the repair of a waterline near the Fountain Club Drive fountain. The Board discussed whether the main water supply line to the fountain had been turned off. The Board requested that Management contact RSV Pools, who does the fountain maintenance, for information on the location of the water line shut off valve and whether this valve is turned off.

**H. ADJOURNMENT OF BOARD MEETING INTO EXECUTIVE SESSION**

**MOTION:** (Harry Matchett/Hari Donthi) Adjourn the Board of Directors Meeting and move into Executive Session at 9:22 p.m.

**Vote:** Motion Passed – 5 ayes/0 nays/1 abstention (Walsh)

**I. RESULTS OF THE CLOSED MEETING**

The Board took action on requests for waivers of late fees.

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**J. ADJOURNMENT OF THE CLOSED MEETING**

**MOTION:** (Harry Matchett/Sherry Lee) Adjourn the Closed Meeting at 9:30 p.m.

**Vote:** Motion Passed – 5 ayes/0 nays/1 abstention (Walsh)

**Appendix 1**

**Fountain Hills Community Association  
Architectural Review Committee Meeting  
Wednesday, August 30, 2017 – 7PM**

The Architectural Review Committee (ARC) of Fountain Hills Community Association held a meeting at Starbucks located in the Kingsview Village Center, Germantown, MD on Wednesday, August 30, 2017.

Members Present:

Siu Poon  
Biao "David" Ruan  
JoAnn Windsor

The meeting was called to order by Siu Poon at 7:10PM.

Due to the recent resignation of ARC's prior chair, Robert Love, Siu Poon was nominated as the new chair effective immediately.

Copy of the Architectural Guidelines and Review Procedures (Adopted 1995, Revised October 2007) was presented to each ARC member.

Future ARC meetings will be held on the 3<sup>rd</sup> Wednesday of each month at Starbucks, Kingsview Village Center, Germantown, MD from 7PM to 8PM.

There were five ARC applications presented and the dispositions were as follow (For/Against/Abstain):

- 1) 13359 Rushing Water Way (Wong) – Shed: Disapproved due to noncompliance of dimensions and material. (3/0/0)
- 2) 13357 & 13359 Rushing Water Way (Cameron & Wong) – Fence: Approved as submitted. (3/0/0)
- 3) 13359 Rushing Water Way (Wong) – Privacy screen on deck: Approved as submitted. (3/0/0)
- 4) 13215 Autumn Mist Circle (Coxe) – Handrail: Approved as submitted. (3/0/0)
- 5) 13430 Fountain Club Drive (Mudahar) – Tree removal: Approved at applicant's expense. (3/0/0)

Next ARC meeting will be held on Wednesday, September 20, 2017 at Starbucks at 7PM.

Meeting adjourned at 7:50PM.