

Approved on January 3, 2019

Fountain Hills Community Association
Board of Directors Meeting
December 6, 2018

The Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, December 6, 2018 at 7:30 p.m.

Board Members Present:

Harry Matchett, President
Sherry Lee, Vice President
JoAnn Windsor, Treasurer
Frank Walsh, Secretary
Wenhai Liu, Director
Kevin Miller, Director

Also Present:

Ralph Caudle, Community Manager
Ruth Ann Allen, Recording Secretary

Board Member Absent:

Bob Fabiszak, Director

Homeowners Present:

Irene Tadesse, 18707 Harmony Woods Lane
Natasha Baron, 18703 Harmony Woods Lane

A. CALL TO ORDER

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

B. INTRODUCTION of NEW COMMUNITY MANAGER

Ralph Caudle, IKO Community Management, is the new Community Manager for FHCA. Mr. Caudle stated that he has been a partner with IKO since 2006 and has been managing Homeowners Associations since 1986. Mr. Caudle will work with the Board to continue making the community a nice place to live.

C. HOMEOWNER OPEN FORUM

1. Irene Tadesse, 18707 Harmony Woods Lane, stated that she has complaints with her neighbor due to trash outside, smoking, dogs barking, and parties held overnight. The Board noted that any interior complaint with a neighbor should be dealt with the condominium's management company, Chambers Management.

The Board requested that Ms. Tadesse send picture of the trash situation to Management.

Ms. Tadesse noted that she is communicating with Board Member Sherry Lee on the parking situation on Harmony Woods Lane.

Ms. Tadesse also noted that there are a lot of leaves behind the units and the landscaper has not returned to deal with the leaves.

2. Natasha Baron, a renter of 18703 Harmony Woods Lane, noted her concerns regarding the parking on Harmony Woods Lane. Ms. Baron noted that when residents have visitors there is no place to park. Many residents park in the visitor spaces and leave their reserved space empty.

Sherry Lee noted that currently each resident of Harmony Woods Lane has two (2) assigned parking spaces, except for the garage townhomes that have no assigned spaces, and three (3) visitor parking tags. Ms. Lee noted that the Towing Enforcement is considering taking away one of the parking permits to help the parking situation on Harmony Woods Lane. However, the visitor parking spaces cannot be controlled as they are all on a first come basis.

Ms. Baron noted that some homeowners are very quick to call for a tow for someone parked in their reserve spot.

Ms. Lee also noted that the response of the towing contractor in this area is not as responsive as it should be.

3. JoAnn Windsor, Board Member, noted that a cable box on the Autumn Mist Drive side of Great Seneca Highway needs to be repaired by Verizon.

Ms. Windsor also noted that the dying trees along Liberty Mill Road need to be taken down. It was noted that these are County trees and have been marked for removal.

4. Frank Walsh, Board Member, noted that Brightview Landscaping left piles of leaves in parking spaces and along the streets during the Thanksgiving weekend. These leaves took over parking spaces and were a driving hazard. It was noted that Brightview did come at night to remove some of the piles of leaves, but some areas seemed to be ignored or missed.

Harry Matchett suggested that the leaf removal issues be revisited later in the meeting.

Mr. Walsh noted that the pool company flooded the Condominium again as the pool was drained through the deck drains, and the fountain also overflowed the previous month. Mr. Walsh noted that RSV Pools does not seem to be managing these situations well.

D. MINUTES

1. September 6, 2018 Board of Directors Meeting Minutes

MOTION: (Harry Matchett/Sherry Lee) Approve the September 6, 2018 Board of Directors Minutes with corrections by Frank Walsh and JoAnn Windsor and other edits noted during discussion.

Vote: Motion Passed – Unanimous

2. November 1, 2018 Board of Directors Meeting Minutes

Frank Walsh stated that the Board Meeting held after the Annual Meeting was an Organization Meeting and not a Board of Directors Meeting.

Harry Matchett stated the legal elements under Maryland law were met that would constitute a meeting of the Board of Directors. There was proper notification to the community on the Fountain Hills website of the Board of Directors Meeting. There was a quorum of Board Members for purposes for conducting general Association business. The Board of Directors had the authority to take whatever action it deemed necessary at the meeting.

MOTION: (Harry/Sherry) Approve the edited November 1, 2018 Board of Directors Meeting Minutes as provided by Harry Matchett.

Vote: Motion Passed – 5 ayes/1 nay (Walsh)/0 abstentions

Harry Matchett noted the approved 2017, 2016 and 2015 Annual Meeting minutes have not been posted to the website. Based on the multiple changes of Community Managers, Mr. Matchett requested that Management reach out to Rick Morris, the FHCA webmaster, to place the approved 2017, 2016, and 2015 Annual Meeting minutes on the website.

E. OFFICER REPORTS

1. President

Harry Matchett welcomed new Board members. Mr. Matchett stated that he takes his fiduciary duty of being a member of the Board very seriously. The Board is responsible for adhering to the approved Budget. When certain expenditures exceed their budgeted amounts, the Board has to make difficult decisions and make concessions in the expenditures they approve. In his opinion, there are two types of expenditures. The expenditures the Board can control and the expenditures the Board cannot control. Mr. Matchett stated he is really concerned about this coming winter. The weather gurus are predicting a severe winter for our area. The Board cannot control the amount of snowfall and ice during the winter season.

Mr. Matchett stated he did not completely review the October financials, but he did have questions for Management to provide follow up:

a. *6325- Site Maintenance/Repair*

There is \$1,345.00 recorded in line item 6325, Site Maintenance and Repair, that relates to the monument sign at the Great Seneca Highway entrance that the Association has a claim against the automobile insurance carrier. He wanted to make sure this cost is going to be reimbursed by the active insurance claim.

The new sign has been installed at the Great Seneca Highway entrance. However, what is the timeframe of the dry stack stonework and landscape work to be completed to restore the monument sign to its previous condition? Has all of the related work been included in the active insurance claim?

b. *6345- Tree Maintenance*

Have Management check on the amount paid of \$1,500.00 for tree maintenance. Other Board members noted that this cost may have been for the tree on the common area near 13100 Lake Geneva Way as this is the description in the cash disbursement report. Mr. Matchett did not recall the Board approving this expenditure.

c. *6435- Swimming Pool Telephone*

At the September Meeting, Mr. Matchett requested that Management turn off the Comcast and EZ Facility services at the pool house as the pool was closed for the year. In an email to the Board on September 17, 2018, Management stated that the services were turned off. Why are there payments in October of

\$253.10 to Comcast and \$40.00 to EZ Facility? There are payments in November for similar amounts to Comcast and EZ Facility.

d. 6070 -General Legal Fees

Mr. Matchett stated there is a current monthly charge of \$842.50, and the year to date general legal costs are \$2,084.70. Mr. Matchett did not recall the Association occurring any legal costs. Management will check on this matter.

e. 6609 – Landscape Maintenance

A payment of \$2,395.00 was made to Brighton Dam Landscaping. The description is fall 2017 weed treatment. Mr. Matchett stated in the past there have been numerous instances of Brighton Dam overcharging the Association. There have been payments to Brighton Dam for duplicate billings to the Association and for services and charges to FHCA for snow removal that was performed on another property. Each time it took a significant length of time for Brighton Dam to reimburse FHCA for these erroneous charges. Mr. Matchett said he is concerned this is another instance of Brighton Dam collecting twice from FHCA on a single service. Management will check on this matter.

Mr. Matchett noted that there are also outstanding financial questions he raised dating back to the January financials that the previous Community Managers were working on that the Board has not received answers for.

2. Frank Walsh noted that the new monument sign was built with composite wood versus wood, and that the Board was not involved with this change. Management will check with Gardener's General Contractor on this matter.

Mr. Walsh also noted that landscaping and turf repairs have not been done by the entrance sign that was damaged. Mr. Walsh noted that a different contractor is needed for those repairs.

F. COMMITTEE REPORTS

1. Towing Enforcement

Sherry Lee noted that there are issues with Lofton Towing not coming out when called for a tow and that they are not towing vehicles parking in fire lanes. Ms. Lee noted that Towing Enforcement is looking into changing towing companies. The contract with Lofton's Towing is believed to have a 30-day opt out clause with written notice from the Association. Management will check on the termination provisions on the Lofton's Towing contract.

2. Architectural Review Committee (ARC)

The October minutes from the ARC are in the Appendix at the end of the Board Meeting Minutes.

3. Website

Mr. Matchett noted that emails sent to the Board of Directors email account do not need to be included in the Management Report as all Board Members receive these emails directly, and Mr. Matchett expects the Board Members to read the emails sent into the Board of Directors email account.

It was noted that the website has not been updated with the names of the current Board Members. Mr. Matchett requested that Management contact Rick Morris to update the names of Board members on the website.

Frank Walsh noted that he prefers emails be included in the Management Report that pertain to any discussion at the Board Meetings.

JoAnn Windsor requested that Management check how many homeowners are enrolled in the portal for FHCA.

G. MANAGEMENT REPORT

1. Required Backflow Prevention Testing

Management recently received correspondence from the Washington Suburban Sanitary Commission (WSSC) that the required annual testing of the backflow preventers at the pool is past due. Management stated they have not had time to substantiate the notice as WSSC has been known to send out erroneous notices. Management stated they would verify whether the annual testing of the backflow preventer was completed prior to contacting R.V. Carey Plumbing for any services.

MOTION: (Harry Matchett/Sherry Lee) Have R.V. Carey Plumbing perform the annual back flow testing as required in the letter from WSSC dated November 20, 2018, and authorize Management get the best pricing for the work.

Vote: Motion Passed – Unanimous

2. Snow Removal Contract

Management provided the Board with the snow removal contract from Brightview for 2018/2019.

Frank Walsh stated that the snow removal did not go well last year, and it needs to improve for this year. Mr. Walsh noted that there was no anti-ice/pretreatment of streets in the contract and that there were times last year when the pretreatment should have been done. It was noted that pretreatment is only done on an on-call basis.

Sherry Lee noted that Brightview charges for the stakes installed throughout the community to mark curbs, and they should supply these at their own cost.

Harry Matchett suggested the proposed snow removal contract should be modified to be consistent with previous snow removal contract specifying that the service start for snow removal should be changed from two inches (2") to three inches (3")

MOTION: (Harry Matchett/Sherry Lee) Approve the Brightview contract with snow removal services with the following changes:

- Snow removal services start at a three-inch (3") depth
- Brightview provide at their own cost the stakes throughout the community, curbs, fire hydrants and other obstacles.

Vote: Motion Passed – 4 ayes/1 nay (Walsh)/1 abstention (Miller)

3. Leaf Removal

Harry Matchett stated that Brightview was engaged to provide a service for leaf removal and by not removing the piles of leaves, there was limited parking for residents/guests in the community which is not acceptable especially over a Thanksgiving holiday weekend. Mr. Matchett stated that Brightview should reimburse the Association for their reduced service for leaf removal. He suggested the Association should request a credit or other form of concession for the leaf removal service. Mr. Matchett noted the second (2nd) leaf removal should occur on December 10th-12th.

Mr. Matchett suggested that Management reach out to Tim Bishop of BrightView about the leaf removal issue as he was the initial contact for the contract.

4. Landscaping

Board members noted that there are ongoing issues with Brightview on cutting of grass; using weed whackers instead of mowers, unevenness of the grass cutting, and cutting the grass too short, and blowing grass clippings back into the yards.

Mr. Matchett requested that Management contact Brightview to discuss these issues, and to also check whether the Fall pruning was done, as it does not appear there was any Fall pruning performed.

Mr. Matchett suggested that Management reach out to Tim Bishop of Brightview about the landscape issues as he was the initial contact for the contract.

H. ADJOURNMENT

MOTION: (Harry Matchett/Sherry Lee) Adjourn the Board of Directors Meeting at 9:28 p.m.

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

APPENDIX - ARC Committee Report

**Fountain Hills Community Association
Architectural Review Committee Meeting
Wednesday, October 17, 2018 – 7PM**

The Architectural Review Committee (ARC) of Fountain Hills Community Association held their October meeting at Starbucks located in the Kingsview Village Center, Germantown, MD on Wednesday, October 17, 2018.

Members Present:

Siu Poon, Chair
Biao "David" Ruan
JoAnn Windsor

The meeting was called to order by Siu Poon at 7:06PM.

There were three ARC applications presented and the disposition was as follow (For/Against/Abstain):

- 1) 18907 Porterfield Way (Massuda) – Solar Panel Installation: Approved as submitted. (3/0/0)
- 2) 18819 Lake Placid Lane (Miller) – Solar Panel Installation: Approved as submitted. (3/0/0)
- 3) 18815 Porterfield Way (Deckard) – Front Porch Screen Installation: Approved as submitted. (3/0/0)

Next ARC meeting will be held on Wednesday, November 21, 2018 at Starbucks (Kingsview Village Center) at 7PM.

Meeting adjourned at 7:24PM.

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