

**Fountain Hills Community Association  
Board of Directors Meeting  
October 1, 2020**

The Board of Directors of Fountain Hills Community Association held a virtual meeting on Thursday October 1, 2020 at 7:30 p.m.

**Board Members Present:**

Harry Matchett, President  
Sherry Lee, Vice President  
JoAnn Windsor, Treasurer  
Frank Walsh, Secretary  
Hari Donthi, Member at Large  
Nicolm Mahabir, Member at Large  
Swee Teo, Member at Large

**Management Present:**

Jason Fisher, Chief Operating Officer  
Delphine Matthews, Community Manager

**Guest:**

Rob Smith, American Pools

**I. CALL TO ORDER/QUORUM**

The Board of Directors Meeting was called to order by Harry Matchett at 7:37 p.m.

**II. HOMEOWNER FORUM**

**Jeff Green, 13431 Rising Sun Lane**, requested response to his volunteering for committee service. As well he requested an update on the CCOC cases and legal costs to date. He is pleased to see the pool repairs commencing and the tree proposal now available on the website. Harry Matchett replied the CCOC mediation continues. Delphine Matthews noted legal costs through September 25 of \$31,042.

**III. REVIEW/APPROVAL OF AUGUST & SEPTEMBER MINUTES**

**A.** Harry Matchett moved to approve the August 6, 2020 draft minutes as amended by himself and Frank Walsh. Seconded by Sherry Lee the motion was unanimously approved. Delphine Matthews requested the approved version for management files.

**B.** Draft minutes of the September 3, 2020 meeting have not been prepared. Harry Matchett made a motion to table review and approval. Sherry Lee seconded the motion which the Board of Directors approved seven to zero.

**IV. UNFINISHED BUSINESS**

**A. 13307 & 13311 Tivoli Fountain Court Common Area Triangle**

Delphine Matthews has an appointment with a contractor to inspect this on-going common are issue and advise a solution; management continues to recommend the Association undertake repairs rather than the Board considering whether the homeowners might be permitted to proceed with concrete. Sherry Lee noted that a tree, turf and rock fill had all previously failed to sustain this spot; Mr. Mahabir

suggested treating the repair similar to sidewalk repairs but with concrete mixed to loadbearing capacity. No action was taken pending the contractor's assessment.

## **V. NEW BUSINESS**

### **A. Pool Closure Refund**

With the 2020 pool season closure under COVID-19 risk the Association has an approximate \$67,000 surplus in the budget of \$567,000. Harry Matchett calculated that should the Board of Directors approve a refund to members, either by check or assessment fee credit, a figure of \$77 would be appropriate. Sherry Lee supported this idea. Frank Walsh noted the process presents a logistical challenge as well as a precedent which could continue for other budget item expenses which are not expended. Management recommended utilizing the surplus funds to tackle alternative needs within the community. Three homeowners addressed the Board of Directors: Jeff Green, 13431 Rising Sun Lane, Pankaj Shukla, 18923 Porterfield Way and Lori Summers, 18943 Fountain Hills Drive. All three advocated retaining the surplus to improve the community and to subsidize unknown expenses which may continue to arise during the uncertain times of the pandemic. No motion was made nor action taken.

### **B. Pool Return Fittings Proposals**

Delphine Matthews noted that RSV Pools continues repairs with completion anticipated in mid-November, weather permitting. In the course of repairs, the pool return fittings have been identified as worn, presenting a trip hazard. A proposal to level the pool bottom as a solution has arrived.

**Harry Matchett made a motion to accept the RSV Pools proposal for this repair at a cost of \$3,840. JoAnn Windsor seconded the motion. The motion carried seven to zero.**

### **C. Tree Survey Proposals**

Management presented three proposals to conduct surveys of one hundred or five hundred trees:

Bartlett Tree Service: \$1,725/\$6,625

Carroll Tree Service: \$2,700/\$8,100

Sav-a-Tree: \$1,950/\$7,900

Bartlett and Carroll both are registered consulting arborists; the proposals are equivalent excepting presentation of GPS locations of marked trees.

**Harry Matchett made a motion to accept Bartlett Tree Service's survey proposal for \$1,725 and Sherry Lee seconded the motion.**

Sherry Lee stated concerns the Association may not have sufficient funds to perform maintenance and removals recommended by the survey. Frank Walsh recommended the Sav-A-Tree proposal. Other directors noted surplus monies from the pool, snow removal and collections should be available in the general operating funds. Nicolm Mahabir identified the survey as relevant to resolving the CCOC case and supported approval. Homeowners endorsed performing the survey.

**The vote was called and the Board of Directors approved the motion six to one.**

### **D. Fountain Replacement Proposal**

Rob Smith of American Pools joined the meeting to provide details and answers regarding the \$173,000 proposal to replace the twenty-five-year old fountains. He has familiarity with the Fountain Hills neighborhood having worked with Community Pools and gained ten years' experience with these

particular amenities. Installed by Humphries Construction, the fountains are believed to have served their expected useful life.

Responding to Board and homeowner questions, Rob Smith stated the proposed replacement parts would be warrantied from the manufacturer Kenneth Lynch and with proper maintenance should serve approximately twenty years. The proposed replacements would be identical in size and style and maintain the current design characteristics including the pineapple finials. Other styles are available and could be estimated depending on the Board's selection; design choice will not affect the fountains' service life. Each fountain restoration will have an artisan-constructed Pennsylvania stonework base. The installations on Fountain Hills and Fountain Club Drive would require less work than on Mediterranean Drive /Lake Geneva Way as this one was constructed on a segmented paver base and should be completely rebuilt. As well, all basins on this fountain must be replaced while the other fountain basins could be sealed and waterproofed. The project duration would be determined first by the length of time required to procure materials and permits, second by weather and season, with temperatures below fifty degrees impacting the stonework progress. The Mediterranean Drive/Lake Geneva Way fountain work could last three to four months, the other fountains are judged to require two to six weeks to accomplish. There would be up to one week of high-level disturbance for noise and excavation per site; turf would be restored after all fountains are completed.

The Board of Directors evaluated this single proposal which did not contain photographs detailing the replacements and has been received at a time late in the season to commence the project. Concern was raised regarding sufficient capital funds for the project. The previous reserve study allocated \$20,000 every ten years; capital funds on hand are \$948,00 from the townhomes, \$109,308 from the Village homes and \$816,713 in general reserves. While not specifically allocated to the line item for fountains, Jason Fisher noted the Board of Directors has the authority to disburse the funds for the project. Other contractors had declined to respond to the Request for Proposal sent by management.

**Harry Matchett motioned to table a decision until highly detailed proposals were obtained by management. Swee Teo seconded the motion which was approved five to two.**

## **E. General Discussion**

### **1. Annual Meeting Procedure**

As the meeting will be held virtually, management has prepared instructions in the notice to be mailed.

### **2. July Executive Session Question**

Nicolm Mahabir inquired whether management resolved open issues from a case reviewed at the July Executive Session; Delphine Matthews noted this has been completed.

### **3. Utility Markings**

A homeowner asked whether the Association had knowledge of Miss Utility markings; Sherry Lee responded this seems to be part of a Verizon FIOS installation.

**4. Autumn Mist Drive Sidewalks**

A homeowner reported trees damaging the sidewalks in this part of the neighborhood.

**VI. ADJOURNMENT OF THE BOARD MEETING**

**MOTION:** (Harry Matchett/JoAnn Windsor) Adjourn the Board of Directors Meeting at 9:45 p.m.

**VOTE:** Motion Passed Unanimously

Please note the meeting was not conducted following the order of the agenda. the minutes conform to the agenda outline.

Respectfully submitted by transcription,

Marcy Grove