

Fountain Hills Community Association
Board of Directors Meeting
January 7, 2021

The Board of Directors of Fountain Hills Community Association held a Virtual Board of Directors Meeting on Thursday, January 27, 2021 at 7:30 p.m.

Board Members Present:

Jeff Chai, President
Jeff Green, Treasurer
Grant Izmirlian, Secretary
David Holtzman, Member at Large
Nicolm Mahabir, Member at Large
Frank Walsh, Member at Large

Management Present:

Delphine Matthews, Community Manager
Marcy Grove, Recording Secretary

Board Members Absent:

Nancy Dofflemyer, Vice President

I. CALL TO ORDER

The Board of Directors Meeting was called to order by Jeff Chai at 7:30 p.m.

II. PREVIOUS MEETING MINUTES

The Board of Directors received draft minutes for the September 3, October 1 and December 3, 2020 meetings. **Jeff Chai made a motion seconded by Jeff Green and Nicolm Mahabir to approve the three drafts as presented. The motion carried six to zero.**

III. OLD BUSINESS

A. Pool Repairs Status

With the seasonal temperature drop RSV Pools was unable to complete plastering and will return in the spring to finalize this repair.

B. Reserve Study Progress

Miller Dodson has initiated the study and met with Delphine Matthews on site on January 5. The site visit identified deferred maintenance needs impacting the pool house which will be detailed in the report. The draft study is anticipated for delivery to the Board the first week in February.

C. Fountain Replacement Update

Waterworks' original proposal had included a secured underground utility vault which would replace the existing fenced enclosure. Utility connections may require re-location at an additional cost for which the contractor is preparing a new proposal. Materials are expected to arrive for installation at the end of March.

D. Stormwater Easement Request

Association attorney John Tsikerdanos is reaching out to the affected homeowners and hopes to respond to David Holtzman's email by the end of the week. Jeff Chai noted a vote should be made at the February Board meeting to meet the mid-February timeline for reaction.

IV. NEW BUSINESS

A. Landscape Contract

Delphine Matthews explained that previous to the current budget, the townhomes were expensed 40% percent of the contract cost, 60% was allocated against the general fund. The previous Board had approved the 2020/2021 budget with the understanding the new allocation would be 25% to townhomes and 75% to the general fund. IKO's accounting department had not adjusted this reporting in the financials but will revise entries to match this formula. Management recommends in future obtaining separate contracts for services in the townhome areas and common areas and has made a preliminary inquiry with Brightview. Brightview's first estimate of the townhome contract cost is \$39,875 and \$133,609 for the general fund cost, which appears to coincide with the 25/75% split.

David Holtzman expressed concern the percentage change was not clearly voted on in the March 2020 minutes. He also recommended evaluation of the calculated landscape service charges based upon square footage by an independent professional, noting that services specifically rendered to one segment of the membership should not be expensed from the general fund. Delphine Matthews noted that while the percentage change was not specifically voted on, the current budget had been approved with this understanding by the Board of Directors under their authority at that time. Jeff Chai noted the Association should proceed with operations under the existing approved budget.

Grant Izmirlan presented a motion to request new separate contracts for the 2021 season from Brightview. The motion was seconded by David Holtzman and carried six to zero. Management was directed to add this as a February agenda item.

B. Collection Attorney

Management presented cost schedules for Andrews Law, Nagle & Zaller and Pickett Law for Board consideration. The Board had expressed concerns with recent Andrews' performance. Nagle & Zaller follows strict collection schedule deadlines, Pickett Law displays a bit more flexibility. With no collection agreement in place, action should be taken as one of the Board's fiduciary duties is to pursue assessment fees from delinquent members.

General discussion of the collection process and options to engage a collection agency as opposed to an attorney proceeded. The Board did request regular monthly status reports and indicated management should verify whether late fees were currently being waived under COVID-19 leniency. This subject will be added to the February agenda.

David Holtzman motioned to engage Pickett Law for collection services for the community. The motion was seconded by Grant Izmirlan and unanimously approved by the six directors.

C. Pet Waste Removal

Four pet waste stations (two from the single-family homes and two from the townhome areas) were removed in 2016 and some homeowners have requested renewing this service due to irresponsible pet owners not removing waste from common areas. Upon inquiry Sherry Lee reported the stations were stored in the pool storage unit. Delphine Matthews has requested some proposals for service contracts but has yet to receive any. The cost of the service is determined by the number of stations and frequency of service.

Nicolm Mahabir stated the Association should not outlay funds to subsidize select, inconsiderate homeowners. Jeff Green agreed but said the improvement in sanitation throughout the neighborhood would be welcomed. Frank Walsh noted the previous four installations seemed inadequate. David Holtzman reported the condominium association has seen dramatic

improvement by making pet waste bags readily available to residents at nominal cost to the budget. The Board requested David Holtzman share the purchase information for the bags. Management was directed to obtain full-service proposals as well and place this item on the February agenda for further discussion.

D. Committees

1. Social Committee

Virginia Aspilcueta, Sherry Cramer, Nicolm Mahabir and Siu Poon have volunteered to serve, some condominium owners may also be volunteering.

Jeff Chai made a motion to activate this committee with the above members; the motion received a second from Nicolm Mahabir and was unanimously approved.

2. Pool Committee

Jeff Chai, Jeff Green and Frank Walsh have offered to serve on the Pool Committee, understanding that their duty to check on pool operations may require review of State, County and DHHS requirements if the pool is able to open.

Jeff Chai motioned activation of the Pool Committee with the above-named residents serving; Nicolm Mahabir seconded this motion which carried six to zero.

3. Landscape Committee

A meeting is tentatively scheduled for January 12 at 7:00 p.m., pending resolution of technology issues. Management will follow up and the link will be posted to the community website.

4. Enforcement Committee

A meeting is scheduled for January 19 at 7:00 p.m.; Jeff Green will host. A chair may be selected at this meeting.

5. Architectural Review Committee

A standing meeting occurs via telephone conference call the third Wednesday of every month at 7:00 p.m.

6. Parking Committee

Management awaits confirmation of attendance for a January 28 meeting.

V. HOMEOWNER OPEN FORUM

Lori Summers, 18943 Fountain Hills Drive: Asked whether the Landscape Committee duties and responsibilities included contract review. In general, the Committee reviews overall performance and aesthetics throughout the neighborhood.

Pankaj Shukla, 18923 Porterfield Way: Urged the Board to take rapid and timely action regarding the proposed development and existing and potential drainage and erosion issues. The Board and Association counsel continue to follow this issue for mid February response.

Alexis Girard, 18943 Fountain Hills Drive: Would like to install a Little Free Library and solicits the Board's advice for an appropriate location which will not impact any easements. As well she reiterated the ongoing issue with storm drains backing up on Cornelius Court creating hazardous conditions and property damage and requested assistance. The Board had formerly suggested the affected neighbors work cooperatively to prune the trees dropping excess leaves in an effort to keep the drains cleared. Alexis Girard requested the Board investigate a process to keep the drains cleared.

Rick Morris, 18908 Porterfield Way: Requested the August 2020 approved minutes for website upload.

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JoAnn Windsor, 18933 Fountain Hills Drive: Stated she has observed the flooding concern on Cornelius Court. Reminded the Board the agenda should be posted to the community website in more timely fashion.

David Holtzman, 18715 Sparking Water Drive: Remarked that issues had been noted with Brightview's service during the recent winter weather episode, especially inadequate ice melt in some areas. Delphine Matthews replied the contractor has been addressed and future performance should be more satisfactory.

VI. ADJOURNMENT OF THE BOARD TO EXECUTIVE SESSION

Jeff Chai recessed the Board of Directors meeting at 9:15 pm to enter Executive Session.

VII. RESULTS OF THE EXECUTIVE SESSION

The Board of Directors determined actions to effect compromise in a legal case.

VIII. ADJOURNMENT OF EXECUTIVE SESSION

Nicolm Mahabir moved to adjourn the Executive Session at 9:40 pm; Jeff Chai seconded the motion which carried six to zero.

Respectfully Submitted,

Marcy Grove