

Corrected as approved on May 2, 2013

**Fountain Hills Community Association
Board of Directors Meeting
April 4, 2013**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, April 4, 2013 at 7:30 p.m.

Board Members Present:

Nicolm Mahabir, President
Sue Adamkiewicz, Vice President
Frank Walsh, Secretary
Tom Brennan, Director
Siu Poon, Director
Phil Suter, Director

Also Present:

Stephon Collins, Community Manager
Craig Wilson, Vanguard Management
Ruth Ann Allen, Recording Secretary

Board Member Absent:

Harry Matchett, Treasurer

Homeowners Present:

Marlene Byard, 18709 Fountain Hills Drive
Christina Shaw, 18811 Sparkling Water Drive, Unit T-2
Steven Muse, 18804 Porterfield Way
Vernard McBeth, 13108 Lake Geneva Way
David Holtzman, 18715 Sparkling Water Drive, Unit 102

Contractor Representatives Present:

Scott Vincent, President, RSV Pools, Inc.
Vlade Jankovic, Supervisor, RSV Pools, Inc.

A. CALL TO ORDER

The April Board of Directors Meeting was called to order by Nicolm Mahabir at 7:30 p.m.

B. MINUTES

1. March 7, 2013 Board of Directors Meeting Minutes

MOTION: (Phil Suter/Tom Brennan) Approve the March 7, 2013 Board of Directors Meeting Minutes as edited.

Vote: Motion Passed - Unanimous

C. DIRECTORS AND OFFICERS REPORTS

1. Architectural Review Committee (ARC) Meeting

The Architectural Review Committee held a meeting in March. Tom Brennan, Board liaison, noted that the ARC agreed that the ARC Application for 18817 Lake Placid Lane would be approved, if the homeowner submitted a completed ARC Application with all the necessary signatures. Phil Suter noted that neighbors have stated that they would not have agreed to the architectural changes to 18817 Lake Placid Lane. Therefore, the matter would come to the Board for their consideration. It was noted that fines have been levied for the violation.

2. Sue Adamkiewicz inquired whether Management has mailed all the violations for trash cans. Management stated that all these violation letters have been sent.

3. It was noted that a homeowner had sent an email mentioning trash in the area behind their house.

4. It was noted that the stop lines in the vicinity of the intersection of Rising Sun Lane and Little Star Lane need to be repainted. Management stated that all the stop lines in the community are to be re-painted.

5. It was noted that the landscaper didn't mulch several trees. Also, some of the newly planted trees have grown enough that they need to be re-supported and tied.

D. COMMITTEE REPORTS

1. Social Committee

Siu Poon reported that the Social Committee met last week and discussed plans for the following activities: the 2nd Annual Yard Sale in May, a 4th of July celebration party at the pool, and the Annual Picnic in September. It was suggested that the picnic not be held on the date of Yom Kippur (September 14th).

Frank Walsh requested that a permit be submitted for the use of the County Park. Management stated that the application had been submitted.

Siu Poon, on behalf of the Social Committee, requested \$100.00 for the yard sale. It was noted that money for the yard sale should not be approved until the permits have been granted.

MOTION: (Phil Suter/Siu Poon) Allow the Social Committee to hold the Community Yard Sale in May, a 4th of July Party, and a Community Picnic in September.

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

Steven Muse requested that the Social Committee take over the "Pooch in the Pool" event at the end of the pool season. The Board requested that Mr. Muse send an email with this request.

E. HOMEOWNER OPEN FORUM

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1. Marlene Byard, 18709 Fountain Hills Drive, noted that the light in the neighbor's backyard is still on all night and asked for an update. Nicolm Mahabir stated that the homeowner has been contacted, but there has been no response. The homeowner has been fined and the Board voted to send the case to the Commission on Common Ownership Communities (CCOC) for mediation.

2. David Holtzman, 18715 Sparkling Water Drive, Unit 102, stated that he believes that dogs should not be allowed on the tot lot at Little Star Lane.

Mr. Holtzman inquired why homeowners had not been informed that the pool pass computer is not in the possession of the HOA. Mr. Holtzman stated that he will send this matter to the Attorney General's Office asking if such notification was required. Mr. Holtzman will advise the Condominium Board to notify the unit owners of the situation.

Mr. Holtzman also noted that Management showed a lack of respect for the community by sending a postcard with type so small that it could not be read. Mr. Holtzman also noted that the pool pass application couldn't be easily read; he is going to pass this matter on to the Consumer Protection Office. Mr. Holtzman suggested that the Board work with Management for better representation to homeowners in the community.

3. Steven Muse, 18804 Porterfield Way, inquired if this was the Board meeting for homeowners to discuss the proposed budget. Nicolm Mahabir stated that an extended period of time is scheduled for the May Board Meeting to discuss the budget. Mr. Muse noted that the proposed budget has not been posted on the website. Mr. Muse briefly stated his concerns over the increase in the budget, and noted that some members of the Board had included a statement in their Board applications that they intended to keep the Association's costs down.

Mr. Muse mentioned that he had brought up in April of 2012 that the street signs in the community were fading.

Mr. Muse also mentioned his concern that homeowners were not notified that the pool computer was missing. Mr. Muse stated that using the paper system was costing the Association more money.

4. Christian Shaw, 18811 Sparkling Water Drive, Unit T-2, inquired about plans to clean the siding on her building in the Condominium. The Board noted that this matter should be taken up with the Condominium Board on their meeting on April 11, 2013.

5. Vernard McBeth, 13108 Lake Geneva Way, had several issues and questions for the Board. Nicolm Mahabir stated that answers to Mr. McBeth's questions will be

Mr. McBeth stated that D&A Dunlevy had not done an acceptable job mulching the trees in the community. Mr. McBeth inquired why the landscape maintenance budget increased so dramatically, and he stated that the Board should reconsider the contract with Dunlevy.

Mr. McBeth inquired why David Holtzman knew about the missing pool computer. Frank Walsh stated that as the liaison for the Fountain Hills Condominium, he had relayed the information to the Condominium Board. Mr. McBeth also inquired why the Board had decided to go back to the paper system for pool passes.

6. Tom Brennan, Board member, noted that he had seen the landscape company working in the rain, and requested that landscape work not be done in the rain. Mr. Brennan stated his concern that large mowers were being used to mow the front lawns and the landscaper should use the appropriate size mowers. Mr. Brennan also mentioned that the drainage issue behind his home has not been addressed.

F. RSV POOLS, INC.

Scott Vincent, RSV Pools, Inc., introduced Vlade Jankovic to the Board as the supervisor for the pool. Mr. Jankovic has experience both in the mechanical aspects of pool maintenance and management.

Mr. Vincent stated that the pools had been drained and cleaned.

RSV Pools submitted a proposal for replacement of two (2) underwater light units in the social pool at a cost of \$990.00. The Board inquired about the use of LED lights in the pool. Mr. Vincent will check on this matter. Craig Wilson noted that the Board may not want to go with more expensive lights in the pool, since the lights are not used at night; at this time they are only required to be working to pass the health inspection.

Mr. Vincent stated that Lindsey will be back as the Pool Manager, and there will be some returning staff as well as several international lifeguards.

It was noted that the diving board has been received, but it has not been installed.

It was noted that a date for the Health Department to inspect the pool has not been set. The Board reminded RSV Pools that Stephon Collins is to be present at the inspection.

G. MANAGEMENT REPORT

1. Pool Pass Packet

The Board discussed, edited, and approved the pool pass application packet through email.

MOTION: (Phil Suter/Siu Poon) Ratify the vote by email to send the pool pass packet to homeowners.

The Board noted that the pool pass application that was sent to homeowners was

the original version, not the one that was edited. The Board edited and approved the pool

pass packet via email so the packet could be sent to homeowners as soon as possible. Management could not explain why the original version, rather than the edited version, of the pool pass application was sent to homeowners.

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

2. Fountain Repair/Replacement

Management provided the Board with proposals from Community Pools for replacement of the fountain on Mediterranean Drive at a cost of \$43,300.00 and replacement of the fountain at Fountain Hills Drive at a cost of \$25,200.00. The replacement of these fountains would be a reserve expense. Management stated that these proposals were for the Board's information, and the fountains will work for this year.

3. Sidewalk Installation

Management provided the Board with the agreement from the County for the construction of the sidewalk that would connect the Association's sidewalk to the bike path/sidewalk, installed by the County, along Clopper Road. The agreement states that the county will install the sidewalk on the Association's property and the Association will landscape that area and maintain the sidewalk.

4. Fountain Landscaping

Management provided the Board with a proposal from D&A Dunlevy for landscaping around the main fountain on Foundation Club Drive for a total cost of \$6,205.00.

MOTION: (Phil Suter/Frank Walsh) Accept the proposal from D&A Dunlevy to update the landscaping of the fountain on Fountain Club Drive at a cost of \$6,205.00.

Vote: Motion Passed - 5 ayes/0 nays/1 abstention (Poon)

5. FY2014 Draft Budget

Phil Suter discussed with Management several items on the proposed budget that could be reduced to lower the increase in the proposed budget.

Mr. Suter noted that there would have been an increase in the landscaping budget with any contractor that the Association chose. Mr. Suter also stated that, as there were many complaints concerning the landscaping, the Board felt it necessary to go with D&A Dunlevy to improve the landscaping.

Nicolm Mahabir suggested that a subcommittee be formed to meet with Craig Wilson and Stephon Collins to review the proposed budget and provide suggestions to the Board for reducing the budget before the Board meets in May.

MOTION: (Nicolm Mahabir/Siu Poon) Nominate Tom Brennan, Harry Matchet, and Frank Walsh as a subcommittee to work with Craig Wilson and Stephon Collins on the

Vote: Motion Passed - Unanimous

The subcommittee will work on a date to meet between the 15th and 30th of April.

6. 2013 Maryland Personal Property Return

Management provided the Board with the 2013 Maryland Personnel Property Return for signature. The Association's auditor, Goldklang Group, prepared the return. The Association does not owe any taxes; neither is the Association due a refund.

7. Proposal from RSV Pools

The Board reviewed the proposal from RSV Pools for replacement of two (2) lights in the social pool.

MOTION: (Phil Suter/Siu Poon) Accept the proposal from RSV Pools for replacement of two (2) lights in the social pool for \$990.00.

Tom Brennan inquired if it would be possible to cement over the lights, as they are never used at night. Management stated that, if this could be done, it would have to be done when the pool is white coated. Management will check with the Health Department on removing the lights.

Vote: Motion Passed - 5 ayes/0 nays/1 abstention (Brennan)

H. UNFINISHED BUSINESS

1. Information to Homeowners

The Board discussed providing an explanation to homeowners as to why the Association is returning to using paper pool passes and notifying them of the loss of the pool computer. Frank Walsh stated that it has been two (2) months since Management notified the Board that the computer was stolen and a notice has not been sent to homeowners about this incident, and this is way too long. Mr. Walsh also inquired why Management had not sent out an explanation with the pool pass packet.

The Board noted that the only information on the pool computer was homeowner's names and addresses.

The Board discussed the options for notifying homeowners on these matters.

MOTION: (Phil Suter/Nicolm Mahabir) Authorize Phil Suter, Frank Walsh and Craig Wilson to work together to draft a letter of explanation to be placed on the web site and in the newsletter for reverting back to paper passes.

Vote: Motion Passed - 4 ayes/1 nay (Walsh)/1 abstention (Brennan)

Frank Walsh suggested that the explanation be mailed to homeowners.

MOTION: (Frank Walsh) Mail explanation to homeowners.

Vote: Motion died as there was no second.

I. NEW BUSINESS

1. Communication

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Tom Brennan noted that there is a communication problem between Board members and Vanguard Management and suggested that a communication process be written up including a description of what can be handled through email.

Management stated that the proposed budget had been placed on the website.

J. CLOSED MEETING

MOTION: (Phil Suter/Tom Brennan) Move into Closed Meeting at 9:18 p.m.

Vote: Motion Passed - Unanimous

MOTION: (Phil Suter/Frank Walsh) Adjourn the Closed Meeting and re-convene the regular Board Meeting at 9:30 p.m.

Vote: Motion Passed - Unanimous

K. REGULAR BOARD MEETING (reconvened)

1. Results of the Closed Meeting

The Board discussed edits to the Closed Meeting Minutes. Management discussed with the Board the two (2) CCOC cases filed against the Association.

2. March 7, 2013 Closed Meeting Minutes

MOTION: (Phil Suter/Tom Brennan) Approve the March 7, 2013 Closed Meeting Minutes as edited.

Vote: Motion Passed - Unanimous

L. ADJOURNMENT

MOTION: (Nicolm Mahabir/Phil Suter) Adjourn the regular Board of Directors Meeting at 9:32 p.m.

Vote: Motion Passed - Unanimous