

51 hopes Management will enforce regulations more regularly over there. Management
52 explained the vast majority of these problems occur after hours. When it happens
53 during the day they can tag cars, but if it's after hours they don't know about it. They
54 explained this is where the community can help enforce these things after hours.

- 55 • The resident mentioned that there was discussion about what could be done about the
56 lack of use of garbage cans and parking on the sidewalk last fall. He said that
57 Management was going to help figure a way to deal with this. He ask that we once
58 again address how we can develop a practice or process, such as one or two nights a
59 month go through after hours to enforce regulations, for double parking and trash
60 specifically.
- 61 • A resident asked about a property with a fence around a garden on common property. He
62 didn't notice any action in the Management report. In the report was a property with
63 that violation, but the resident was inquiring about another property. Management will
64 look into this other property as well.

65
66 **III. MANAGEMENT REPORT**

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68 **A. Minutes of Meeting**

69 The Board reviewed the minutes of the previous meeting.

70 Motion: To approve the December meeting minutes subject to changes. Poon/McDowell Vote:
71 Unanimous

72 **B. Reports of Officers or Directors**

73 There were no reports of the Officers or Directors at this time.

74 **IV COMMITTEE REPORTS**

75

76 **E. Social Committee**

77 No report

78 **F. Landscaping Committee**

79 There was no report at this time but they had two questions.

80 1.) When is it appropriate to contact Dunlevy?

81 Answer- Contact Dunlevy directly as neededbut keep management included.

82 2.) How to handle special requests for plantings?

83 Answer- Ask Dunlevy for recommendations and pricing then forward them to
84 management to be included with the Board package for consideration.

85 A Board member asked about previous items regarding the "Fountain Park" already in line
86 to be considered. The Landscaping Committee chair responded to the Board member by
87 calling him a profanity. The President reminded all present that they were volunteers and to
88 conduct themselves in a civil manner. The Landscaper Committee requested that a list of
89 those items be sent to them.

90 **G. Pool Committee**

91 Ms. Kalamar brought pictures of the pool steps to be repaired. The heater does not work
92 very well in the pool house.

93 **H. Web Committee**

94 The Board asked about a blind email address for the Board. Management will look into it.

95 **I Fountain Hills Condominium**
96 No December meeting.

97 **J Architectural Review Committee**
98 They had no applications at this time.

99

100 **111. MANAGEMENT REPORT**

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102

A. Revised Architectural Guidelines

103 The Board reviewed the guidelines and made modifications. They will request ARC work
104 on a procedure process for a rules enforcement policy as a stand-alone policy.

105 Motion: Recommend the approval of the revised Architectural Guidelines as presented with the
106 changes of the word “containers” to trash cans. McDowell/Poon Vote: Unanimous

107 Add memo from Vanguard as Exhibit A.

108 **B. Legal Opinion on Appointing Members to fill vacant Board positions.**

109 The Board reviewed the polices provided by Attorney Thomas Schild and discussed the
110 findings. The Board felt that the legal opinion didn’t fully address whether the Board had
111 the authority to elect a candidate for the remaining term of the Board, if the Director’s term
112 expired and he/she choose not to run for re-election.

113 Action: Management will request that the attorney add an addendum to the opinion letter of how
114 to deal with insufficient candidates leaving a position to be filled.

115 Ms. Fair was present at the meeting.

116 Motion: To appoint candidate Ms. Fair to the Board contingent to receiving confirmation from the
117 attorney that the Board has authority to fill a position not caused by death, resignation
118 or removal of an at-large member and that the Board has the authority to elect a
119 candidate for the remaining term of the Board. Holtzman/Kalamar Vote: Unanimous

120 **C. Legal Opinion on Board Action without Meeting**

121 The Board reviewed the letter from Attorney Thomas Schild on Board Action Without a
122 Meeting of the Board of Directors.

123 The Board concurred to table this to the next meeting.

124 **D. Pool Management Evaluation**

125 The Board reviewed the information submitted about the various pool companies. The
126 Board discussed the different companies and decided to set up interviews with four of the
127 pool companies on Saturday, January 12, 2008, starting at 9:00 am. Management will notify
128 the candidates and set up times for their interviews.

129 Motion: To terminate Community Pools contract with 30 days notice per our contract.
130 McDowell/Poon Vote: Unanimous

131 **F. Pool Furniture Repair**

132 The Board reviewed the quote from Criterion Inc. to the restrap the pool chairs.

133 Motion: To approve the Criterion quote of \$2605.10 to restap the pool chairs. Kalamar/Poon Vote:
134 Unanimous

135

136 **G. Foreclosure Proceedings on 18710 Harmony Wood Lane**

137 The issue was settled with the homeowner. Foreclosure rescinded as payment received in
138 full.

139 **H. Draft 2006/2007 Audits**

140 The Board reviewed the audit report and noted changes.

141 Motion: To accept the audit with the amendment to the language on note six and number 17 of the
142 representation letter and to file federal income taxes using the corporate method.
143 Poon/McDowell. Vote Unanimous

144 **I. Wachovia CD**

145 The Treasurer noted that Wachovia Money Market account was over the limit.

146 Motion: That we transfer \$60,000.00 from Wachovia MM reserve account to Smith Barney for
147 purchase of a CD consistent in terms with our prior policy laddering the date of
148 maturity. Holtzman/Poon Vote: Unanimous

149 The Treasurer requested that Management research the general disbursement report,
150 account 9100 and give more information regarding the invoice for \$195.00 for the bulk
151 trash removal.

152 **IV UNFINISHED BUSINESS**

153 There is no unfinished business.

154 **V NEW BUSINESS**

155 There is no new business

156 **VI ADJOURNMENT**

157 There being no additional business the Board meeting adjourned at 9:35 pm.

158 Motion: To adjourn the meeting at 9:35 p.m. Poon/Kalamar Vote: Unanimous

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Respectfully Submitted,

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Erin Barry, Recording Secretary

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Fountain Hills Community Association, Inc.

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Motion List

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January 2008

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Motion: To approve the December meeting minutes subject to changes. Poon/McDowell Vote:

169

Unanimous

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Motion: To appoint candidate Ms. Fair to the Board contingent to receiving confirmation from the

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attorney that the Board has authority to fill a position not caused by death, resignation

172

or removal of an at large-member and that the Board has the authority to elect a

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candidate for the remaining term of the Board. Holtzman/Kalamar Vote: Unanimous

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Motion: To terminate Community Pools contract with 30 days notice per our contract.

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McDowell/Poon Vote: Unanimous

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Motion: To approve the Criterion quote of \$2605.10 to restap the pool chairs. Kalamar/Poon Vote:

177

Unanimous

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Motion: To accept the audit with the amendment to the language on note six and number 17 of the

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representation letter and to file federal income taxes using the corporate method.

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Poon/McDowell. Vote Unanimous

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Motion: That we transfer \$60,000.00 from Wachovia MM reserve account to Smith Barney for

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maturity. Holtzman/Poon Vote: Unanimous

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Motion: to adjourn the meeting at 9:35 p.m. Poon/Kalamar Vote: Unanimous

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Fountain Hills Community Association, Inc.
Action List
January 3, 2008

Action: Management will request that the attorney add an addendum to the opinion letter of how to deal with insufficient candidates leaving a position to be filled.

231 Residents in Attendance
232 Tim Smith
233 Don Webb
234 Shirley Fair
235 Steve Muse
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