

Corrected as Approved on June 7, 2012

**Fountain Hills Community Association
Board of Directors Meeting
May 3, 2012**

The Board of Directors of the Fountain Hills Community Association held a Board of Directors Meeting at the UpCounty Center on Thursday, May 3, 2012 at 7:30 p.m.

Board Members Present:

Phil Suter, President
Nicolm Mahabir, Vice President
Danial Magid, Treasurer
Frank Walsh, Secretary
Tom Brennan, Director

Also Present:

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

Board Members Absent:

Sue Adamkiewicz, Director
Siu Poon, Director

Homeowners Present:

Harry Matchett, 13220 Lake Geneva Way
Steven Muse, 18804 Porterfield Way
Vernard McBeth, 13108 Lake Geneva Way

Contractor Representatives Present:

Scott Vincent and Mike Holt, RSV Pools, Inc.
Ty Trent, ValleyCrest Landscape Maintenance, Inc.
Brad Stokley, Playground Specialists, Inc.

A. CALL TO ORDER

The May Board of Directors Meeting was called to order by Phil Suter at 7:30 p.m.

B. MINUTES

MOTION: (Phil Suter/Tom Brennan) Accept the April 5, 2012 Board of Directors Meeting minutes as edited.

Vote: Motion Passed - Unanimous

C. REPORTS OF OFFICERS AND DIRECTORS

1. Resident Comments

Phil Suter stated that comments had been received from homeowners concerning grass cutting (including cuttings blown onto mulched areas) and landscaping, netting still left on plant beds, common area trees branches have not been picked up, and the mowing

around the stormwater ponds.

Management mentioned that the non-structural maintenance, i.e. mowing of the grass, of the stormwater ponds is the Association's responsibility.

A comment was received concerning exposed tree roots on Autumn Mist Circle by the playground that are a trip hazard.

D. COMMITTEE REPORTS

1. Social Committee

Nicolm Mahabir mentioned that the Social Committee had met and agreed to sponsor a community yard sale on June 2, 2012 from 8:00 a.m. until 12:00 noon and requested the approval of the Board to hold this event. Mr. Mahabir mentioned that the Social Committee would like Board approval to buy drinks for those attending if it is hot. The Social Committee also suggested that residents participating in the yard sale bring a baked good to be sold at the yard sale with proceeds to be given to charity.

MOTION: (Nicolm Mahabir/Phil Suter) Approve the yard sale for June 2, 2012 and authorize expenditure not to exceed \$50.00 for drinks and have Frank Walsh advise the Condominium Board of Directors to notify their residents to join the event.

Tom Brennan inquired if a permit was needed. Management stated that it cost \$50.00 for a permit to hold the event. It was also questioned whether \$50.00 was enough money to purchase drinks.

Amend: (Nicolm Mahabir/Phil Suter) Increase the expenditure for the yard sale to \$100.00.

The motion never came up for a vote.

Mr. Mahabir stated that the event will be advertised in the local Gazette and on Craig's List, and fliers in Fountain Hills and businesses in the community.

Management stated that if there are to be baked goods or drinks sold at the event, that a permit would be needed by the Health Department. Management will send the Board information for obtaining this permit.

The Board also mentioned their concern over parking. Frank Walsh stated that the Condominium Board had already mentioned their concerns about people parking in the Condominium and pointed out that they were doing seal coat work around that time. Phil Suter suggested that the Social Committee have someone directing parking during the yard sale.

Mr. Mahabir stated that he would contact the Board by next week with all the details that were discussed.

MOTION: (Nicolm Mahabir/Phil Suter) Hold a yard sale on June 2, 2012 as long as all the logistics are worked out with an expenditure amount of \$100.00.

Vote: Motion Passed - 4 ayes/0 nays/1 abstention (Walsh)

2. Enforcement Committee

Management received email correspondence from the Enforcement Committee requesting time to talk with the Board at the May Board Meeting concerning several questions, concerns, and comments.

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The Enforcement Committee inquired who currently performs the annual home inspections, if the Association currently pays for this inspection, and if this should be a volunteer function. Management stated that the current practice is that Vanguard inspects one-third (1/3) of the community each year. The Board discussed with the Enforcement Committee the pros and cons to having Management continue doing the annual home inspections versus this being a volunteer function. It was noted that there is no follow-up concerning these inspections, Vanguard does charge a fees for the inspections, and the violations are always subject to subjectivity.

MOTION: (Phil Suter/Danial Magid) Have the Enforcement Committee, a Board member and an Architectural Committee member perform the Annual Home inspection for the entire community this year without Vanguard.

Vote: Motion Failed - 2 aye/3 nays (Brennan/Walsh/Mahabir)/0 abstentions

It was noted that the Architectural Committee does not do any inspections. They are working on a color palette for homes in the community.

The Enforcement Committee also requested removing the responsibility of distributing violation notices from Vanguard and having the Enforcement Committee send the initial violation. One copy of the violation notice would be sent immediately to the resident from the Enforcement Committee, Management would receive a copy of the violation for their records to send a violation notice to the homeowner, and the third copy for the Enforcement Committee's records.

MOTION: (Danial Magid)Accept the recommendation of the Enforcement Committee to send the violation copy right away to the resident with one (1) copy to Management and one (1) copy for the Enforcement Committee.

The Motion died as it was seconded.

The Enforcement Committee inquired if basketball courts should be cited for violations. The Board stated that basketball courts are a violation.

The Enforcement Committee inquired if fines for violations are rolling or only on the days that they are observed. Management stated that fines can be both; a homeowner can be fined for each day a violation is not corrected or each time it is noticed.

It was noted that the wording of the Enforcement Inspection Procedures is still incorrect. Management stated that these changes will be corrected.

Steven Muse also inquired how the matter should be handled of a homeowner blatantly disregarding the ARC requirements. There are currently no repercussions for this type of violation. The Board will discuss this issue at a later time.

E. CONTRACTOR REPRESENTATIVES

1. ValleyCrest Landscape Maintenance, Inc.

Ty Trent was present from ValleyCrest Landscape Maintenance, Inc. to discuss with the Board the continued issues of landscape maintenance in the community. Board members mentioned concerns about tall grass and the clippings being blown onto mulched areas. It was also noted that in some areas where the grass was trimmed, the grass has been stripped down to the dirt. Also, some of the mulch has been placed too

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deep so that when it rained, it was washed into the street. It was also noted that the weeds need to be routinely pulled from the landscaped areas.

Nicolm Mahabir also mentioned that the entrances to the community look terrible. The landscaped areas have plants that are dying and nothing has been done to improve the look. It was noted that the entrance areas will be worked on as per the proposals approved by the Board at the last Board meeting.

Mr. Trent stated that watering of the newly planted material is not part of the contract. He also stated that if removal of the netting was missed in some of the gardens that it will be removed. Mr. Trent promised that the crew will be reminded to pull weeds, not to destroy the grass when trimming, and to use the right type of mower for the specific area.

The Board mentioned that the mowing in the area of the stormwater management ponds should be done every other mowing. It was discussed that there was some confusion over how many times the stormwater management ponds were to be mowed. The contract price from ValleyCrest did not include the cost for mowing the stormwater management ponds every other mowing. Mr. Trent noted that in other communities, the mowing in the stormwater pond areas is done three times over the growing season.

Tom Brennan stated that he doesn't feel that the problems with the landscaping are due to a learning curve. Mr. Brennan feels that the community is facing the same issues as last year, but with a new landscaper and at a higher cost.

Harry Matchett stated that the tree limb behind his house has not been removed. Mr. Trent will make sure this limb is removed.

2. RSV Pools, Inc.

Scott Vincent and Mike Holt were present from RSV Pools to discuss with the Board the Spring maintenance repairs for the pool. The Board noted that some items were repaired by the pool company without prior approval and reminded RSV that any repair over \$50.00 needs approval. Mr. Vincent stated that the plumbing repairs for the pool were time sensitive and needed to be done.

MOTION: (Phil Suter/Tom Brennan) Approve the repairs by RSV Pools for the pool for \$3,602.00.

Vote: Motion Passed - Unanimous

Mr. Holt mentioned that the doors to the pump room have rotted through and need to be replaced. Management has a proposal from Gardener's General Contractor for this work.

Frank Walsh noted that the lights have been left on at the pool house overnight. Mr. Vincent stated he would remind the workers to turn off the lights when they leave. It was noted that RSV Pools will replace light bulbs for free since they left the lights on and caused the electric bill to be high.

3. Playground Specialists, Inc.

Brad Stokley, Playground Specialists, Inc., was present to discuss with the Board

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the proposals for replacement of the tot lots at Autumn Mist Circle and Rushing Water Way for a total of \$47,784.94. Several homeowners commented that they would like swings on the Autumn Mist Circle tot lot, but Mr. Stokley stated that the tot lot is not large enough to include swings and the play area.

Tom Brennan inquired if the tot lots were ADA compliant. Mr. Stokley noted that the play areas are considered ADA accessible. Management also stated that Fountain Hills is considered a private property and does not need to be ADA compliant.

It was noted that the installation of rubber carpet instead of wood carpet is very expensive. The Board agreed to use wood carpet and the color scheme will match the tot lots that were replaced last year.

MOTION: (Phil Suter/Nicolm Mahabir) Accept the proposal from Playground Specialists, Inc. for replacement of the tot lots at Autumn Mist Circle and Rushing Water Way for \$47,784.94.

Vote: Motion Passed - Unanimous

Mr. Stokley stated that the installation of the tot lots will probably be around the beginning of July.

F. MANAGEMENT REPORT

1. FY2013 Draft Operating Budget

The Board discussed whether to approve the FY2013 draft operating budget with the 3.03% increase in general assessment (3.5% increase for the Condominiums). It was noted that there were no comments from homeowners on the draft budget. Management reminded the Board that the increase reflects the increase in funding to the reserves based upon the reserve study. Management also noted that the monthly assessments had not increased for the last three (3) years, and there is approximately \$800,000.00 currently in reserves.

MOTION: (Phil Suter/Tom Brennan) Accept the FY2013 draft operating budget as presented.

Vote: Motion Passed - 4 ayes/0 nays/1 abstention (Walsh)

2. Concrete Work

Management provided the Board with three (3) proposals for concrete repair in the community and installation of a sidewalk on Little Star Lane. Proposals were received from RJ Landscape Contractors, Inc. for \$31,434.00, O'Leary Asphalt, Inc. for \$35,045.00, and Asphalt and Concrete Services, Inc. for \$31,691.34.

MOTION: Phil Suter/Danial Magid) Accept the proposal from RJ Landscape Contractors for concrete repairs and installation of a new sidewalk on Little Star Lane for \$31,434.00.

Vote: Motion Passed - Unanimous

3. ValleyCrest Proposals

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ValleyCrest submitted a proposal for tree work and installation of trees in the community.

MOTION: (Phil Suter/Tom Brennan) Accept the proposal from ValleyCrest Landscape Maintenance for tree work using the Tree Mendous program for \$12,156.72.

Vote: Motion Passed - Unanimous

ValleyCrest submitted a proposal for demolition and removal of the sign and reseeded of the area on Fountain Club Drive across from the pool for \$370.00, and a proposal for demolition and removal of entrance sign and installation of plants at Village Fountain Drive and Rising Sun Lane for \$982.41.

MOTION: (Phil Suter) Go with the two (2) proposals from ValleyCrest Landscape Maintenance for landscape work by the entrance signs at Fountain Club Drive across from the pool and at Village Fountain Drive and Rising Sun Lane, but have the handyman remove the top part of the entrance sign to be stored.

The Motion died as it was not seconded.

MOTION: (Frank Walsh/Phil Suter) Accept the proposal from ValleyCrest Landscape Maintenance for demo of the sign and re-seeding of the area at Fountain Club Drive, but have the handyman remove the top of the sign to be stored and used for the Village Fountain entrance at a later date.

Vote: Motion Passed - Unanimous

4. Proposal for Pool House Repairs from Gardener's General Contractor

Management provided the Board with a proposal from Gardener's General Contractor for repairs to the pool house for a total of \$5,980.00.

MOTION: (Phil Suter/Tom Brennan) Accept the proposal from Gardener's General Contractor for repairs to the pool house for \$5,980.00.

Vote: Motion Passed - Unanimous

5. Fountain Repair Proposal from Community Pool Service

Management provided the Board with a proposal from Community Pool Service for preliminary work on the fountains for \$2,125.00.

MOTION: (Phil Suter/Frank Walsh) Approve the proposal from Community Pool Service for fountain repairs for \$2,125.00.

Vote: Motion Passed - 4 ayes/0 nays/1 abstention (Brennan)

6. Investment CDs

Management stated that several CDs would be maturing before the next Board of Directors Meeting.

MOTION: Phil Suter/Frank Walsh) Approve the investment of maturing CDs as per Management's suggestions.

Vote: Motion Passed - 4 ayes/0 nays/1 abstention (Brennan)

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G. ADJOURNMENT

MOTION: (Phil Suter/Danial Magid) Adjourn the Board of Directors Meeting at 9:40 p.m.

Vote: Motion Passed - Unanimous