

Corrected as approved on June 6, 2013

**Fountain Hills Community Association
Board of Directors Meeting
May 2, 2013**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcountry Regional Services Center on Thursday, May 2, 2013 at 7:30 p.m.

Board Members Present:

Nicolm Mahabir, President
Sue Adamkiewicz, Vice President
(arr. 7:45 p.m.)
Harry Matchett, Treasurer
Frank Walsh, Secretary
Tom Brennan, Director
Phil Suter, Director

Also Present:

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

Board Member Absent:

Siu Poon, Director

Contractor Representative Present:

Vlade Jankovic, RSV Pools, Inc.

Homeowners Present:

Steven Muse, 18804 Porterfield Way
Marlene Byard, 18709 Fountain Hills Drive
Anna Oldak, 18821 Sparkling Water Drive, Unit 103
David Holtzman, 18715 Sparkling Water Drive, Unit 102
Renee Walker, 19006 Noble Oak Drive
Chris Allo, 18809 Porterfield Way

A. CALL TO ORDER

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

Mr. Mahabir stated that each homeowner would have three (3) minutes total to speak during Homeowners Open Forum and during discussion of the budget.

B. MINUTES

1. April 4, 2013 Board of Directors Meeting Minutes

MOTION: (Phil Suter/Tom Brennan) Accept the April 4, 2013 Board of Directors

Meeting Minutes as amended.

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

C. COMMITTEE REPORTS

1. Council of Unit Owners for the Fountain Hills Condominium

David Holtzman, on behalf of the Directors of the Council of Unit Owners for the Fountain Hills Condominium, noted that the Council of Unit Owners had sent the Board a letter opposing the proposed HOA FY2014 draft budget.

D. HOMEOWNER OPEN FORUM

1. Marlene Byard, 18709 Autumn Mist Drive, inquired as to the status of the violation for the light in a neighbor's backyard. Management stated that Ms. Byard will be sent an email with the requested information.

2. Steven Muse, 18804 Porterfield Way, stated that at the last Board meeting he was told that the answers to his questions would be available on the Association's website, and he noted that this had not happened. Mr. Muse recited the questions that he emailed to the Board on April 17th for answers. Nicolm Mahabir stated that Mr. Muse would receive the answers to his questions within ten (10) business days of this meeting.

3. Phil Suter, Board member, stated the trash in the community has become better, but some residents are still putting their trash out overnight. Mr. Suter requested that the Enforcement Committee keep following through with this effort.

E. MANAGEMENT REPORT

1. Pooch in the Pool

Steven Muse sent a request to the Board to conduct the 4th Annual Pooch in the Pool on September 8, 2013 from 8:00 a.m. - 1:00 p.m. The cost to the Association for this event would be approximately \$125.00. A donation of \$5.00 would be collected, for each dog, for the Montgomery County Humane Society.

Sue Adamkiewicz stated that the Pooch in the Pool should be held and it is for a good cause.

MOTION: (Phil Suter/Tom Brennan) Deny the Pooch in the Pool Party.

Vote: Motion Passed - 4 ayes/1 nay (Adamkiewicz)/1 Abstention (Matchett)

2. Request for Hearing

Management provided the Board with a request from the homeowner of 18831 Porterfield Way for a Hearing to discuss an architectural application that was denied for lack of information. The Board requested that Management contact the homeowner and request the missing information be submitted to the Architectural Review Committee (ARC), and then the homeowner would not need to come for a Hearing. The Board agreed that the request for a Hearing could still be approved.

MOTION: (Phil Suter/Tom Brennan) Approve the request from the homeowner of 18831 Porterfield Way to hold a Hearing at the next Board meeting.

Vote: Motion Passed - Unanimous

3. Request for Waiver of Cleanup Costs

Management provided the Board with a request from the homeowner of 13241 Lake Geneva Way requesting a waiver for cleanup costs by the Association for vulgar and profane language written in sidewalk chalk on the sidewalk and steps entering the home for a cost of \$165.00.

MOTION: (Phil Suter/Tom Brennan) Deny the request from 13241 Lake Geneva Way for waiver of the \$165.00 cleanup cost.

It was noted that a fine should be imposed as this was a second offence.

Amend: (Phil Suter/Harry Matchett) Impose a fine of \$25.00 for recurrence per the wording in the violation letter.

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

F. RSV POOLS

Vlade Jankovic, RSV Pools, stated that the replacement of the pool lights has been completed, the diving board has been installed, and the re-strapped chairs should be delivered any day. The pool is ready for the summer season.

The scheduled time for the Health Department to inspect the pool is on May 14th at 11:30 a.m.

G. FY2014 DRAFT BUDGET

Nicolm Mahabir stated that the Board had approved a sub-committee to review the draft budget and make recommendations to the Board for adjusting the proposed budget. The proposed FY2014 draft budget has an increase of 8.09%. The subcommittee recommended that the FY2014 budget be increased by 1.5% over the FY2013 budget. This includes a 3% increase by Vanguard Management and a reduction in budget categories of approximately \$36,000.

MOTION: (Harry Matchett/Frank Walsh) Accept the sub-committee's report on the FY2014 draft budget.

Vote: Motion Passed - Unanimous

MOTION: (Nicolm Mahabir/Phil Suter) Discuss the FY2014 budget as received from the sub-committee.

Vote: Motion Passed - Unanimous

Phil Suter noted several other categories that could be reduced in costs. Mr. Suter also noted that the cost of the grounds maintenance would have increased with any of the

maintenance for the master association is covered at 51% by the general funds and 49% by the townhouses.

David Holtzman noted that of the six (6) bids from grounds maintenance contractors, the HOA chose neither the lowest bid nor the second lowest bid. Mr. Holtzman also noted that shifting a portion of the cost for waste removal from the budget of the townhouses owners to the general association is prohibited by the Covenants and By-Laws of the HOA. Mr. Holtzman stated that the Association is grossly overspending the budget. Mr. Holtzman also stated that whatever funds are received from the Condominium for pool passes benefits the townhouses.

Anna Oldak, 18821 Sparkling Water Drive, Unit 103 inquired why, as a condominium homeowner, the increase in grounds maintenance benefits the Condominium. Ms. Oldak stated that it is more important to have a clean and safe neighborhood.

Chris Allo, 18809 Porterfield Way, inquired if homeowners could review the actuals from the last fiscal year. Management replied that homeowners are welcome to review them.

It was noted that the pet waste stations and the fountains are located on common areas that are used or enjoyed by everyone in the community so it is paid from the general funds. Frank Walsh stated that waste for the dog stations should not come out of the general funds as it is considered trash, which is paid separately by the Condominium.

MOTION: (Phil Suter/Tom Brennan) Approve the FY2014 budget at a 1.5% increase over the FY2013 budget.

Vote: Motion Passed - 4 ayes/2 nays/ (Adamkiewicz, Walsh)/0 abstentions

H. CLOSED MEETING

MOTION: (Phil Suter/Tom Brennan) Move into Closed Meeting at 8:30 p.m.

Vote: Motion Passed - Unanimous

MOTION: (Phil Suter/Tom Brennan) Adjourn the Closed Meeting and re-convene the Board Meeting at 9:38 p.m.

Vote: Motion Passed

I. REGULAR BOARD MEETING (reconvened)

1. April 4, 2013 Closed Meeting Minutes

MOTION: (Phil Suter/Tom Brennan) Approve the April 4, 2013 Closed Meeting Minutes as submitted.

Vote: Motion Passed - Unanimous

2. Results of the Closed Meeting

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The Board took action on five (5) collection matters, discussed the two (2) CCOC cases, and discussed matters concerning the Association's relationship with Vanguard Management.

J. ADJOURNMENT

MOTION: (Phil Suter/Tom Brennan) Adjourn the regular Board of Directors Meeting at 9:40 p.m.

Vote: Motion Passed - Unanimous