

**Fountain Hills Community Association  
Board of Directors Meeting  
September 4, 2014**

**As Approved at the October 2, 2014 Board of Directors Meeting**

**Board Members Present:** Jackie Arnold, President  
Nicolm Mahabir, Vice President  
Harry Matchett, Treasurer  
Hari Donthi, Secretary (arrived 7:46 pm)  
Steven Muse, Director  
Frank Walsh, Director (arrived 7:41 pm)

**Others Present:** Ruchita Patel, Property Manager  
Annette Thrasher, Property Manager  
Marylou Bono, Recording Secretary

**Homeowners Present:** Joel Araneda, 13317 Rushing Water Way  
Lesli Brown, 19003 Noble Oak Drive  
Lena Burleson, 18914 Fountain Hills Drive  
Sanjoo Jalla, 13392 Rushing Water Way  
Manjit Kaur, 18625 Autumn Mist Drive  
Bonnie Kind, 13223 Autumn Mist Drive  
Sherry Lee, 13237 Lake Geneva Way  
Marco Mazzarino, 18721 Autumn Mist Drive  
Terry O'Day, 13409 Rising Sun Lane  
Ana Olariu, 13246 Autumn Mist Circle  
Barbara Peressini, 18931 Fountain Hills Drive  
Bill Renner, 18834 Porterfield Way  
Andrew Riddle, 18701 Autumn Mist Drive  
Tim Smith, 13327 Tivoli Fountain Court  
Jo Ann Windsor, 18933 Fountain Hills Drive

**Call to Order**

The meeting was called to order at 7:32 pm by Board President Jackie Arnold.

**Police Presentation**

Montgomery County Police officers Sergeant Jason Cokinos and Officer Knuth were present to discuss safety in the community, particularly in light of the recent vandalism on Rushing Water Way. Sergeant Cokinos spoke regarding a newly formed unit of the Germantown Police District called the District Community Action Team, which focuses on quality of life concerns. He discussed the recent incident in Fountain Hills and noted that residents should call the Police whenever they observe suspicious behavior. He emphasized that the Police respond where the need is greatest and encouraged residents to communicate with them whenever necessary.

Homeowners present we invited to ask the officers questions. In response to homeowner queries, Sergeant Cokinos highlighted the concerns in the Germantown area and what the Police were doing about particular incidents, which consist mainly of drug activity, loitering and trespassing after school hours and

personal robberies. He invited residents to email or call him at any time, but suggested that they email the Association management agent first to keep them apprised of issues of concern. If the community was interested in establishing a Neighborhood Watch, he would facilitate that. He also suggested regular meetings between the Police and community to keep an open dialogue.

### **Homeowner Forum**

Ruchita Patel opened Homeowner Forum at 8:34 pm. She noted that, due to time constraints, 3 minutes would be allotted per homeowner in order to allow the Board sufficient time to conduct business.

Joe Araneda-Vargas, a resident of the condominiums on Rushing Water Way, had an issue with the sprinklers in his unit. Ruchita Patel advised that she would give him contact information for the condominium management company.

Leslie Brown discussed parking at the pool and a recent incident in which one of her vehicles was towed. She felt that parking by the pool was limited and that perhaps the condominium spaces could be shared during the season to provide more parking availability. Steven Muse stated that there should be a reciprocity agreement during the pool season. He mentioned that condominium residents also park in areas of the community not designated for condominium parking. Jackie Arnold noted that there are signs posted at the condominium lot and they are visible. She agreed that parking was limited during the pool season and that perhaps an agreement could be worked out with the condominiums. Ruchita Patel advised that she would approach the condominium management agent regarding this matter.

Lena Burleson asked about the dues paid for the separate associations and management companies. Ruchita Patel explained the division of the communities and that each entity owns their own land. Ms. Burleson also discussed what she perceived to be a combative relationship between the condominiums and single family homes. Ruchita Patel suggested that any issues be identified and that the two groups work to resolve them together.

Bill Renner thanked the Board for allowing residents to provide feedback regarding dog stations in the community, of which he was in favor. He mentioned that the garages in the alley on Cary Acres Court were supposed to have their lights on at night. He says this is not happening and he thought that the HOA legal documents required this.

Barbara Peressini commented that she felt management should be stricter in enforcing maintenance requirements on single family homeowners. She has observed a number of homes that are in disrepair and she inquired as to what action the Enforcement Committee was taking in this regard. She was not in favor of dog stations in the community. Ruchita Patel advised that management was working with the Enforcement Committee to streamline the inspection and enforcement procedures.

Joanne Windsor inquired regarding dog walking regulations. Were dogs permitted on sidewalks only or on neighbors' yards as well? Steven Muse mentioned the County's leash law. Ms. Windsor suggested that a reminder be added to the newsletter that dog owners should be considerate of neighbors and stay off private lawns. Ruchita Patel reiterated the leash law and the no trespass law. She advised that this information would be added to the next newsletter.

Terry O'Day advised that he had received a letter from the Enforcement Committee for a weed growing out of his gutter. He discussed parking issues, especially for those homeowners with garages, the number of people living in individual homes, confusing signs in the community, and the colors of lines used for

parking. Ruchita Patel advised that steps would be taken to explore parking options with the condominiums. Mr. O'Day also inquired regarding pool memberships for single homeowners. Ruchita Patel advised that this item was on the agenda for the Board to address this winter. He was also concerned with laptop theft from the pool. Ruchita Patel advised that the laptop is bolted down and stored in a safe at night.

Ana Olariu also inquired regarding pool pass issuance for single homeowners. In addition, she thanked the Board for the Police presence at the meeting. She inquired as to the cost to remove the graffiti from the recent vandalism incident. Ruchita Patel advised that the cost was approximately \$430. Ruchita Patel also mentioned that Police officers and several homeowners were out very early the morning after the vandalism was discovered assisting with the clean-up.

Manjit Kaur felt that the Enforcement Committee needs to be more active. Harry Matchett advised that the change in management companies has delayed the Committee's activities. Ms. Kaur inquired as to the status of collecting on delinquent account. Ruchita Patel advised that certified notices to create liens had recently been mailed. Following the mailing, TMGA received a number of payment plan requests. Ms. Kaur was also concerned with the pool passes for single homeowners.

At 9:12 pm, Ruchita Patel closed Homeowner Forum and advised those present that discussion would now be limited to Board members.

### **Meeting Minutes**

The Board reviewed the meeting minutes of the August 7, 2014 Board of Directors meeting. Frank Walsh and Harry Matchett noted corrections to be made. Steven Muse requested that the information regarding lighting that he had presented at the August meeting be included as an addendum to the minutes.

**MOTION:** (Frank Walsh) Table the minutes of the August 7, 2014 Board of Directors meeting until members had a chance to review the information submitted by Steven Muse.

**Vote:** Motion failed for lack of a second.

**MOTION:** (Steven Muse/Hari Donthi) To accept the minutes of the August 7, 2014 Board of Directors meeting with the noted changes.

**Vote:** Motion Failed 2-2-2 (Frank Walsh, Nick Mahabir - opposed; Jackie Arnold, Harry Matchett - abstained).

### **Committee Reports**

**Architectural Review Committee (ARC)** - Chair Marco Mazzarino was not present.

**Landscaping Committee** - Manjit Kaur discussed the invoices received from the landscape contractor and felt that more description on their invoices was necessary so that it is evident what services they are providing to the community. She feels that the terms of their contract are vague and require clarification. She requested that Mark Ryba from Dunlevy attend a meeting. Ruchita Patel advised that he should be invited to the Landscaping Committee's meetings.

Manjit Kaur discussed the need for the Enforcement Committee to enforce the maintenance regulations on private yards and mentioned several addresses as well as the Committee's recommendations.

Ruchita Patel discussed the bid comparison spreadsheet provided to the Committee for tree replacements and removals in the community. She recommended that, due to budget constraints, only those trees in areas of high visibility and those that were hazardous be addressed first. There was discussion amongst Committee members present as they felt that some of the items were not clear and they could not come to a unanimous decision. Ruchita Patel explained the timetable for this work and the fact that the Committee was asked to come to a consensus by the September meeting on how to utilize its annual budget.

Tim Smith advised that he and Don Webb were resigning from the Landscaping Committee.

Steven Muse suggested that the Board vote to approve the recommendation made by the Landscaping Committee following their meeting on September 10, 2014, and that this recommendation be provided by September 12, 2014.

**MOTION:** (Steven Muse/Hari Donthi) Accept the recommendation of the Landscaping Committee, to be provided by Friday, September 12, 2014.

**Vote:** Discussion ensued and, because no consensus could be achieved, Steven Muse rescinded his motion.

Ruchita Patel explained the process the Committee should focus on to decide the most vital work to be accomplished within the Association's budgetary constraints. Steven Muse did not feel that a decision should be made in a rushed manner. Manjit Kaur said that the Committee has conflicting opinions and a lack of knowledge on some landscaping matters.

Ruchita Patel recommended that the community spend \$4,200 on the most urgent of the identified tree removal work, and the Landscaping Committee should continue to discuss their recommendations for turf renovation and other needed work.

**MOTION:** (Hari Donthi/Jackie Arnold) Authorize \$4,200 to be spent on the most urgent of the identified tree removal work.

**Vote:** Motion passed 4-2-1 (Frank Walsh, Harry Matchett – opposed; Steven Muse – abstained)

**MOTION:** (Jackie Arnold/Hari Donthi) Award a contract to Potomac Garden Center to perform the \$4,200 of identified tree removal work.

**Vote:** Motion passed 4-2-1 (Frank Walsh, Harry Matchett – opposed; Steven Muse – abstained)

The turf renovation work, including that at 13101 Lake Geneva Way, will be added to next month's agenda. In the interim, the Committee will provide their recommendations.

**Social Committee** - Chair Siu Poon was not in attendance. Ruchita Patel advised that the Committee had requested that the Board vote as to whether the October 4, 2014 Community Clean-Up Day be rescheduled due to the fact that it falls on Yom Kippur and an objection had been raised. Frank Walsh asked if Siu had a recommendation. Ruchita Patel advised that the Committee was unable to identify a date convenient to all, other than October 4th.

**MOTION:** (Hari Donthi/Harry Matchett) Ask the Social Committee to reschedule the Community Clean-Up Day to a day other than October 4, 2014 due to the Yom Kippur holiday.  
**Vote:** Motion passed 5-0-1 (Nick Mahabir - abstained).

**Newsletter** - Chair Steven Muse had no report.

**Enforcement Committee** - Chair Harry Matchett discussed several recent towing incidents in the community. He suggested that the Association's contract with G&G Towing be updated to reflect changes in the County and State towing laws, since the contract had not been revised since 2008.

**MOTION:** (Harry Matchett/Steven Muse) Renegotiate the towing contract with G&G Towing for towing services in the community.  
**Vote:** Motion passed 5-0-1 (Frank Walsh - abstained).

Harry Matchett advised that he felt the Enforcement Committee should be more active with regard to towing matters in the community. Ruchita Patel asked how this would be handled logistically due to the majority of calls being received after hours and in the middle of the night. Discussion ensued on this topic.

**MOTION:** (Harry Matchett/Steven Muse) The Enforcement Committee will assume responsibility for all towing matters in the community, including obtaining an updated contract with the towing company.

Discussion ensued. Frank Walsh asked what the procedure would be. Nick Mahabir asked when this procedure would start and if it would continue on a permanent basis. Jackie Arnold asked exactly what the recent issues were. Harry Matchett reviewed the issues and Ruchita Patel provided clarification on several points. Nick Mahabir suggested that the Committee handle towing issues until the 2014 Annual Meeting.

**MOTION:** Harry Matchett amended his motion to have the Enforcement Committee assume responsibility for all towing issues until the conclusion of the 2014 Annual Meeting.  
**Vote:** Motion passed 5-0-1 (Frank Walsh - abstained).

Harry Matchett nominated Sherry Lee as a member of the Enforcement Committee.

**MOTION:** (Harry Matchett/Steven Muse) Nominate Sherry Lee to serve on the Enforcement Committee.  
**Vote:** Motion passed unanimously.

## **VOTING ITEMS**

### **Towing Appeal**

The Board discussed a towing appeal from a resident on Sparkling Water Way.

**MOTION:** (Harry Matchett/Steven Muse) Deny appeal for towing reimbursement from resident at 18815 Sparkling Water Way.  
**Vote:** Motion passed unanimously.

**Adjournment**

**MOTION:** (Nick Mahabir) Adjourn the Board of Directors meeting at 10:10 pm.

**Vote:** Motion passed unanimously

Submitted by: Marylou Bono, The Management Group Associates, Inc.

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