

**Corrected as approved on September 5, 2013**

**Fountain Hills Community Association  
Board of Directors Meeting  
August 1, 2013**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, August 1, 2013 at 7:30 p.m.

**Board Members Present:**

Nicolm Mahabir, President  
Tom Brennan, Vice President  
Harry Matchett, Treasurer  
Frank Walsh, Secretary  
Siu Poon, Director  
Phil Suter, Director

**Also Present:**

Stephon Collins, Community Manager  
Ruth Ann Allen, Recording Secretary

**Contractor Representative Present:**

Vlade Jankovic, RSV Pools, Inc.

**Homeowners Present:**

Andrew and Jessica Riddle, 18701 Autumn Mist Drive  
Vernard McBeth, 13108 Lake Geneva Way  
Steven Muse, 18804 Porterfield Way

**A. CALL TO ORDER**

The August Board of Directors Meeting was called to order by Nicolm Mahabir at 7:32 p.m.

**B. MINUTES**

1. July 2, 2013 Board of Directors Meeting Minutes

**MOTION:** (Phil Suter/Tom Brennan) Approve the July 2, 2013 Board of Directors Meeting Minutes as edited.

**Vote:** Motion Passed - Unanimous

**C. DIRECTORS AND OFFICERS REPORTS**

1. Replacement Trees

Phil Suter inquired if Valley Crest is going to replace the dead trees on Rushing Water Way under warranty. Management stated that these trees were warranted and will be replaced in September.

## **D. COMMITTEE REPORTS**

### **1. Social Committee**

Siu Poon reported that the July 4<sup>th</sup> Pool Party was successful, with an attendance of almost 200 people. The cost of food and supplies was \$86.56, which was well within budget.

Ms. Poon announced that a community picnic is scheduled to be held at the pool on Saturday, August 31<sup>st</sup> from 12:00 noon until 4:00 p.m. A Social Committee Meeting will be held on August 8th at 7:00 p.m. at the Kingsview Starbucks for any who are interested.

### **2. Landscape Committee**

Phil Suter noted that the Landscape Committee needs to have a walk through with D&A Dunlevy concerning the landscaping proposal before September.

### **3. Architectural Review Committee (ARC)**

A notice was received from Maggie Suter stating that she would be stepping down as chairman of the ARC, but she will remain on the committee. Rajat S. has agreed to be the chair of the ARC.

**MOTION:** (Phil Suter/Siu Poon) Accept the resignation of Maggie Suter as chair of the ARC, but remaining a member of the ARC, and accept Rajat S. as chair of the ARC.

**Vote:** Motion Passed - Unanimous

### **4. Enforcement Committee**

Nicolm Mahabir asked Tom Brennan if he would be willing to be chair and liaison of the Enforcement Committee, as there is currently no chair of liaison for the committee. Tom Brennan agreed.

**MOTION:** (Nicolm Mahabir/Phil Suter) Approve Tom Brennan as Board liaison and chair of the Enforcement Committee.

**Vote:** Motion Passed - Unanimous

### **5. ARC Board Liaison**

As Tom Brennan will be taking over as the liaison for the Enforcement Committee, instead of the ARC Committee, Phil Suter offered to be the liaison for the ARC Committee.

**MOTION:** (Tom Brennan/Frank Walsh) Appoint Phil Suter as Board liaison to the ARC Committee.

**Vote:** Motion Passed - Unanimous

## **E. HOMEOWNER OPEN FORUM**

1. Andrew and Jessica Riddle, 18701 Autumn Mist Drive, were present to provide information to the Board as to why they had missed several payments at the end

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of 2012 and beginning of 2013. The Board had previously denied waiver of fees in June. The Board will review the information that the Riddles provided, and Management will contact them as to the Board's decision.

Mr. Riddle also noted that there are no pet waste management containers in their section of the community. The Board noted that they will re-consider if more pet waste receptacles are needed in the community.

Mr. Riddle also noted that every time the community landscaping looks better, another landscaper is hired. Mr. Riddle suggested there should be more consistency with the ground maintenance contractor hired. The Board requested that Mr. Riddle send an email to the Board with his comments concerning the landscaping so the Board can look into these issues.

2. Siu Poon, Board Member, noted that several homeowners had mentioned that when kids are playing with laser pointers outside, the lights come into the homes and this bothers some homeowners. The Board will discuss this matter further at a later time.

3. Vernard McBeth, 13108 Lake Geneva Way, stated that he had requested answers to several questions at the April Board Meeting, and the Board had stated that the answers to these questions would be placed on the website. Mr. McBeth noted that the answers were not on the website. Mr. McBeth stated that he had requested answers to four (4) questions and the only question that had been specifically answered was about the stolen laptop. Mr. McBeth requested answers to the other three (3) questions. The Board will look into if these questions were answered and will send Mr. McBeth an update of this issue.

Mr. McBeth inquired as to what matters were designated as Closed Session. Management stated that legal matters and delinquencies are considered Closed Session matters.

4. Steven Muse, 18804 Porterfield Way, stated that the grass and trails in the community look good. Mr. Muse also noted that he hasn't been asked for his pool pass when he has gone to the pool.

Mr. Muse inquired of the Board when he would receive the answers to the questions that he brought to the Board in April and May. He stated that the Board promised answers within ten (10) days and there hasn't been a response. The Board requested that Management provide a response to Mr. Muse on the status of his questions.

Mr. Muse asked why Siu Poon, a member of the Social Committee who he had reported to Management as being in violation of the community's rules about storage of a grill on the front porch, was not automatically removed from the Social Committee.

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Mr. Muse also requested that the dates and times of committee and sub-committee meetings be posted for residents.

5. Frank Walsh, Board Member, noted that he and Harry Matchett would be checking on the trees in the community.

Mr. Walsh also noted that the Board received an email from a homeowner requesting a dog station on Tivoli Fountain Drive. Management noted that due to costs concerns not all the pet waste stations that were suggested were installed. Mr. Walsh requested that the Board and Management look into more pet waste stations again.

**F. RSV POOLS, INC.**

Vlade Jankovic, RSV Pools, stated that there had been issues at the pool with one life guard and he will not be returning. Mr. Jankovic will also remind the life guards to check pool passes when residents enter the facility. Mr. Jankovic stated that RSV Pools will do whatever is needed for the party at the pool on August 31<sup>st</sup>. Mr. Jankovic also stated that there will be adequate staff at the pool through the end of the pool season.

**G. MANAGEMENT REPORT**

1. Social Committee Volunteer Request

Management provided the Board with a request from Steven Muse to be appointed to the Social Committee. Management stated that this request has been sent to legal counsel for his opinion as this could pose a conflict of interest with the ongoing CCOC case. Management will notify Mr. Muse of the Board's decision on this request.

It was noted a violation notice had been received concerning a grill on the front porch of Siu Poon's house. Management stated that a grill on the front porch is not in violation of the community's documents. It was also noted that the grill had been removed. Therefore, the Board stated there was no reason for Ms. Poon to step down from the Social Committee.

2. Fountain Maintenance

Management provided the Board with a proposal from Community Pools to replace the timer on the main fountain on Fountain Club Drive for \$550.00.

**MOTION:** (Siu Poon./Frank Walsh) Approve the replacement of the timer on the main fountain at Fountain Club Drive for \$550.00.

**Vote:** Motion Passed - Unanimous

3. Pooch in the Pool

Management provided the Board with an email from Steven Muse concerning the Pooch in the Pool. The Board stated that the email received from Mr. Muse did not

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specifically request to hold the Pooch in the Pool event. The Board did not take action as there was no request in the email to hold the Pooch in the Pool.

**4. Monument Sign Replacement Proposal**

Management provided the Board with a proposal from Knoble, Inc. to replace the entrance sign at Village Fountain Drive, using the existing sign but rebuilding the base for \$3,280.00.

**MOTION:** (Phil Suter/Frank Walsh) Move forward with the rebuilding of the monument sign at Village Fountain Drive for \$3,280.00 by Knoble, Inc.

**Vote:** Motion Passed - Unanimous

**5. Pit Bull Policy**

Management provided the Board with the revised draft pit bull policy for the Board's review. The Board noted that, with the approval of the policy, signs would need to be placed throughout the common areas of the community. The Board inquired if signs could just be placed at the entrances to the community. The Board requested that Management check with legal counsel on what is the minimum signage that needs to be done to comply with the pit bull policy.

**6. Tree Removal and Planting on Lake Geneva Way**

Management provided the Board with a proposal from D&A Dunlevy for removal of three (3) diseased Red Pine Trees in the island across from 13104 Lake Geneva Way for \$1,275.00 and to plant three (3) Green Giant Arborvitae for \$1,575.00.

The Board requested that Management check with Lee's Tree Service if they can remove these trees and stumps when they come to the community to trim trees starting on Monday, August 6<sup>th</sup>.

**MOTION:** (Phil Suter/Frank Walsh) Approve Lee's Tree Service to remove the trees and grind the stumps on the island across from 13104 Lake Geneva Way at a cost not to exceed \$1,000.00.

**Vote:** Motion Passed - Unanimous

**H. COLLECTION MATTERS**

**1. 18815 Sparkling Water Drive, Unit B**

Management provided the Board with a request from the homeowner of 18815 Sparkling Water Drive, Unit B to waive six (6) late fees.

**MOTION:** (Nicolm Mahabir/Harry Matchett) Deny the waiver of six (6) late fees for 18815 Sparkling Water Drive, Unit B.

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

The Board requested that Management check with the accounting office if the homeowner of 18815 Sparkling Water Drive, Unit B had any late fees waived in the past.

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The Board also requested that the reply to the homeowner concerning the Board's decision also include information on the options for automatic payments to avoid late fees.

**MOTION:** (Phil Suter/Tom Brennan) Waive one (1) late fee of \$5.00 contingent upon verification that the homeowner has not received a waiver of one (1) late payment before.

**Vote:** Motion Passed - Unanimous

2. 18613 Little Star Lane

Management provided the Board with a request from 18613 Little Star Lane for a waiver of a \$5.00 late fee assessed to the account.

**MOTION:** (Nicolm Mahabir/Phil Suter.) Approve the waiver of the \$5.00 late fee contingent upon verification by accounting that a late fee was not waived previously.

**Vote:** Motion Passed - Unanimous

3. 18815 Sparkling Water Drive, Unit C

Management provided the Board with a request from the homeowner of 18815 Sparkling Water Drive, Unit C for a payment plan. The homeowner would pay \$500.00 by August 15<sup>th</sup> and then pay \$150.00 per month in addition to the current monthly assessment until the balance is paid in full.

**MOTION:** (Phil Suter/Tom Brennan) Accept the payment plan for 18815 Sparkling Water Drive, Unit C of a payment of \$500.00 by August 15<sup>th</sup> and then payments of an \$150.00 a month in addition to the currently monthly assessment until the balance is paid in full.

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

**I. NEW BUSINESS**

1. Social Committee Budget for Picnic

The Social Committee requested monies for the picnic to be held at the pool on August 31st.

**MOTION:** (Siu Poon/Tom Brennan) Budget up to \$1,200.00 for the community picnic on August 31<sup>st</sup> from 12:00 noon until 4:00 p.m.

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

**J. CLOSED MEETING**

**MOTION:** (Phil Suter./Tom Brennan) Move into Closed Meeting at 8:45 p.m.

**Vote:** Motion Passed - Unanimous

**MOTION:** (Phil Suter./Nicolm Mahabir) Adjourn the Closed Meeting and Reconvene

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**Vote:** Motion Passed - Unanimous

**K. RESULTS OF THE CLOSED MEETING**

Management updated the Board on the status of the CCOC case and took action on a request for a waiver of fees.

**L. BOARD OF DIRECTORS MEETING (reconvened)**

1. July 2, 2013 Closed Meeting Minutes

The Board discussed edits to the Closed Meeting Minutes of July 2, 2013 during the Closed Session.

**MOTION:** (Phil Suter./Tom Brennan) Approve the Closed Meeting Minutes as edited.

**Vote:** Motion Passed - Unanimous

2. Vacant Board Position

The Board discussed whether to fill the vacant Board position or to leave the Board of Directors with six (6) members until the next Annual Meeting, which is in November.

**MOTION:** (Phil Suter./Nicolm Mahabir) Do not fill the current vacant Board Position.

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

3. Reserve Investment Review

Management provided the Board with a Reserve Investment Review for their review, which includes recommendations from Management for investing of funds.

4. Tree Removal at 18907 Porterfield Way

Management provided the Board with a proposal from D&A Dunlevy for removal of a Bradford Pear Tree in the rear of the property at 18907 Porterfield Way for \$540.00. All resulting debris shall be hauled off site and disposed of properly and the stump will remain.

The Board inquired if Lee's Tree service could remove this tree when they are on site to remove other trees.

**MOTION:** (Phil Suter./Frank Walsh) Have Lee's Tree Service remove the tree at 8907 Porterfield Way at a cost not to exceed \$500.00.

**Vote:** Motion Passed - Unanimous

5. Leaks at Bathhouse

It was noted that the roof is leaking at the pool house. Management stated that the leak is coming from one or more of the dormer windows; these windows were not replaced when the roof was replaced. Management will have a contractor look into the

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6. Emails Concerning a Parked Van With Lettering

It was noted that an email was received stating that a van with commercial lettering was parked on Lake Geneva Way. Nicolm Mahabir thought the van had been removed. Management will check on this matter.

7. Schedule A for Harry Matchett

Harry Matchett noted that he had not received Schedule A from Management, which he requested in May of 2013. Management will make sure Mr. Matchett receives Schedule A.

**M. ADJOURNMENT**

**MOTION:** (Phil Suter./Nicolm Mahabir) Adjourn the regular Board of Directors Meeting at 9:34 p.m.

**Vote:** Motion Passed - Unanimous