

**Regular Meeting**  
**Fountain Hills Community Association, Inc. Minutes**  
**January 5, 2006**

The Board of Directors of the Fountain Hills Community Association, Inc. met for a regularly scheduled meeting at the Germantown UpCounty Center, Germantown, Maryland on January 5, 2006 at 7:30 p.m.

**Present:**

Ms. Susan Adamkiewicz  
Ms. Jennifer Brill  
Ms. Robin Kastenmayer  
Mr. Tom McDowell  
Ms. Siu Poon  
Mr. William Renner

**Others Present:**

Mr. William D. Whitney, Community Manager  
Ms. Rani Pellet, Recording Secretary  
Several homeowners and residents

**Absent:**

Mr. Frank Walsh

**I. CALL TO ORDER**

Mr. McDowell, President, called the meeting to order at 7:35 p.m. with a quorum present.

**II. HOMEOWNER FORUM**

Mr. Don Whitehouse, resident, attended the meeting to discuss the trash corral located on Clopper Hill. He noted that some non-residents use the trash corral when they are not supposed to do so. He asked what could be done to deter others from using this amenity. There was some discussion regarding the possibility of placing some signs near the trash corral that indicate "trash containers for condominium residents only". The Fountain Hills Board said it would be pleased to purchase signs for the condominiums.

Mr. Whitehouse had requested some additional trash cans be placed inside the trash corral because he said once the trash cans become full inside the corral, residents pile trash up on top of and around the trash corral, and this contributes to the mess. The second issue Mr. Whitehouse asked about was if Mr. Whitney could contact the trash company and request that they close the trash corral lids after they have removed the trash. He noted that the trash containers are often placed back into the corrals with the lids open and then residents cannot close the lids.

Action: Mr. Whitney will contact the trash company and request that after emptying the trash containers, they will close up the trash container lids, before replacing them back into the trash corral.

Action: Mr. Whitehouse will discuss the possibility of installing a sign that says, "For condominium residents only" by the trash corral with the condominium Board.

Ms. Ruchita Patel, member of the landscaping committee, attended the meeting in order to find out the status of the grounds contract.

Mr. Morris attended the meeting to discuss any questions or concerns regarding the website.

Mr. James Caddell, former Board member attended the meeting in the capacity of the Architectural Review Committee (ARC) representative.

Mr. David Holtzman, a resident of the condominium community attended the meeting to discuss an action that took place at the December 2005 meeting regarding the snow removal contract. He was concerned that the Fountain Hills Board had approved a rate increase for the snow contractor, Dunlevy. He said that he believed that the Board had an existing contract with the contractor, and he wanted to register his disappointment with the course of action the Board had taken by voting in favor of a rate increase. He said he did not think the Board was using sound business judgment. He asked the Board to consider speaking with legal council regarding these actions. The Board said they would take Mr. Holtzman's suggestion under advisement.

Action: Mr. Whitney will act as the Board requests regarding the Dunlevy increase in snow removal rates.

Mr. And Ms. Steele, new residents, attended the meeting in observe business, and to see if their ARC application would be approved.

Ms. Brill, Board member and resident had a suggestion for New Business. She recommended that Fountain Hills purchase some signs that indicate the meeting date, time and location that could be posted in the community on meeting nights.

## **II. MANAGEMENT REPORT**

### **A. Minutes**

The Fountain Hills Board reviewed the minutes of the meeting dated December 1, 2005.

Motion: To accept the minutes from the regular meeting dated December 1, 2005, as amended.  
Renner/Brill. Vote: 6:0:0.

### **B. Committee Reports**

#### ***Social Committee***

There was nothing to report.

#### ***Web Committee***

Mr. Morris, the website administrator indicated to the Board that the website is up and running.

#### ***ARC Review Committee***

This Committee was deferred until after the Landscaping Committee representative, Ms. Ruchita Patel had a chance to report. Ms. Patel asked to speak first as she had to leave the meeting early.

#### ***Landscaping Committee***

Ms. Ruchita Patel, landscaping committee representative, said that the landscaping committee's main priority was to work on the four entrances. During the month, the landscaping committee had revised the specifications and then received several new proposals from landscaping companies. Based on the proposals Ms. Patel said she thought Creative Landscapes seemed to have the best proposal for Fountain Hills.

Ms. Patel noted that there is \$7,000 left in the budget for this fiscal year, but noted that the landscaping committee had hoped to complete two entrances this fiscal year. This would mean however that the landscaping budget would be exceeded. She recommended that the Board consider moving forward with landscaping the entranceways at Mediterranean and Little Star Lane for a cost of \$9,135. In order to not exceed the budget, for the 2005 fiscal year, she proposed requesting that Creative Landscaping delay invoicing Fountain Hills for

these projects until the new fiscal year, which begins on July 1, 2006. She said that she hoped the two additional entranceways, Rushing Water and Village Fountain could be completed in fiscal year 2006 also, which will begin after July 1, 2006. An alternative option would be to request approximately \$2,000 in addition from the Fountain Hills Board in order to complete the first two entranceways, (Mediterranean and Little Star) and go over the landscaping budget in the 2005 fiscal year.

As a part of her presentation, Ms. Patel also requested \$14,000 for the 2006 landscaping budget. When asked how many other people are on the landscaping committee, Ms. Patel said that there were three others on the committee.

Ms. Patel recommended reducing the size of the Village Fountain Drive entranceway planting, as it is very large and despite many plants being in this location, it still looks empty. The plants that would be removed from that area would be used in other areas of the development. She recommended placing some of these plants around the pool, and in perennial beds along Clopper Road. She noted that Village Fountain entranceway is located right by the Giant and is a main entrance to the community. Ms. Brill said in the past years many people trampled this area while they waited to cross the road, or while they waited for the bus.

Mr. McDowell asked about planting in Mediterranean and then Little Star entranceways, and then stopping the plantings. Ms. Patel said she would like to know if there could be hope for a fall planting as well because she said Rushing Water is in need of better landscaping. It was the consensus of the Board to discuss this issue at a later time.

Action: Discuss the additional plantings at the two other entranceways for the fall. This also needs to be added as an item in the budget discussions.

Motion: To accept the proposal from Creative Landscaping for the purpose of completing landscaping projects on Mediterranean and Little Star Lane, with the caveat that additional funding in the amount of \$2,200 will have to be added to the budget to complete this project. This additional money will come from General Accounts. McDowell/Renner. 6:0:0.

Mr. McDowell asked if there could be any volume discounts since the number of plants has increased.

Action: Mr. Whitney will follow up with Creative to see if they will offer any bulk rate discounts for plants.

The Board thanked Ms. Patel and the Landscaping Committee for their work on this project.

#### ***ARC Committee***

##### ***Mr. And Mrs. Steele – fence***

The Steeles requested approval for a four-foot high fence with a one-foot additional lattice above the top of the fence.

Motion: To accept the request to install a 4' fence with a 1' additional lattice on the top of the fence as presented in the architectural request form. There is a stipulation that there would be a four-foot set back in the alleyway. Poon/Brill. Vote: 6:0:0.

##### ***Ms. Song Li - 18938 Fountain Hill Drive – back yard brick patio***

Motion: To accept the brick patio in the back yard. Renner/Poon. Vote: 6:0:0.

***Mr. And Ms. Qassis – 18942 Fountain Hills Drive – deck on back of house***

The Board reviewed this architectural request. There was some information that was missing however, and the application was denied as it was incomplete.

Action: Mr. Whitney will request a full package of information from the homeowner regarding the specifications of the deck, site plan, plat, etc.

***Pool Committee***

Mr. Rob Smith, Vice President of Community Pool attended the meeting to introduce himself to the new Board members and to reassure the Board that the issues the Board had with Community Pool last year, would not happen in the 2006 summer season. It was noted that the key problem time for the pool was during the week of August 10-15. Mr. McDowell said he does not want these same issues to occur again. Mr. Smith said that in the 2006 season, the local guards will not be allowed to serve in the Fountain Hills pool, and he noted he would pay special attention to the pool during the week that the regular guards leave and the second group of guards takes over.

There was some discussion about the age of the head lifeguard. Mr. McDowell said that the Board historically wanted to have a guard who is at least 25 years of age on-site as the manager at all times. Ms. Brill said that she thinks it is the attitude rather than the age that is most important. After some discussion, which was led by Ms Kastenmayer, it was agreed that they would like to have a seasoned pool manager with experience for a highly used pool. Fountain Hills needs a pool manager, not a pool operator.

Ms. Brill asked about the early hours that the pool was opening. She noted there were some times when the pools were not completely staffed. She wanted to be sure that this would not happen again.

Action: Mr. Whitney will check with Mr. Wilson regarding the 'age' issue at the pool.

Motion: To accept the proposal from Community Pools for the period of 3 years at per annum costs of \$66,000.00, \$62,212.00, and \$64,078.00 respectively. The contract must indicate the stipulation of a seasoned, mature pool manager, with the caveat that the Board meets the manager prior to the pool being opened. McDowell/Brill. Vote: 6:0:0.

**C. Landscaping Contract**

The Board reviewed the proposals from Chapel Valley and Tru Green. It was noted that Mr. Wilson and Mr. Whitney had met with the two contractors and had driven the community with the contractors to make sure that they were fully aware of what the contract would involve. Both contractors returned bids with slight increases. One concern about Chapel Valley is that they do not maintain another community like Fountain Hills. They do maintain elite condos, but that community is not a community like Fountain Hills. It was also noted that Dunlevy came in considerably higher in the bidding process at about \$59,000 higher than Chapel Valley.

There was some discussion. Mr. Renner said that in the past the Board had thrown out the highest and lowest bids, and he wanted to know if the Board would like to follow this protocol for the landscaping contract. Mr. McDowell said that he has spoken with Chapel Valley and he thinks that this contractor is anxious to prove itself to Fountain Hills.

Motion: To accept the proposal from Chapel Valley for the landscaping contract for fiscal year 2006 in the amount of \$104,938. Poon/Renner. Vote: 6:0:0.

**D. Financial Report**

It was the recommendation of Vanguard Management to move \$30,000 of the Legg Mason Money Market to Wachovia Money Market funds. There was some discussion.

Action: Find out why the Board has to move the money from Legg Mason into Wachovia Money when the money should be FDIC insured in both locations.

It was noted that \$25,000 worth of certificates of deposits are maturing and rolling over into five-year investments. The long-term interest rates would be 4.8%.

Motion: Move all money into an insured money market account. That would be the uninsured money and the maturing CDs. This will enable the Board to make decisions about the money next month. McDowell/Brill. The total amount moved out will be approximately \$90,000. Renner/McDowell. Vote: 6:0:0.

**E. Maintenance Inspections**

The Board reviewed the maintenance inspection summary provided by Mr. Whitney. The Board said it would like to see a 'broad brush-stroke' summary of each kind of violation. An example of this would be,

"Of the 120 homes inspected, the most frequent violations were X, Y, and Z."

It was noted that the existing report did summarize some key points,

- 1/3 of the community had been inspected
- For those residents whose homes were in violation, a violation letter had been sent out
- There had been no reinspection at the time of the meeting.
- Mr. Whitney noted that the Board can call a hearing for any homeowners who remain in violation.

Action: Mr. Whitney will provide the Board with a memo of the actions that have been undertaken since the last inspection.

**F. Pool Passes**

There was some discussion about the pool passes for condominium owners. Fountain Hills is not able to legally withhold pool passes from the Fountain Hills Condominiums. The Board decided to table this action at this time because Mr. Walsh was not present.

**IV. OLD BUSINESS**

There was no old business.

**V. NEW BUSINESS**

**A. Operating Plan**

Mr. Whitney provided an operating plan for the Board of Directors to review. This is a plan that covers the basic operating goals and actions of the Board for the 2006-2007 fiscal year. The Board thanked Mr. Whitney and said it would review the plan before the next month's meeting.

**B. Next Month's Agenda**

Action: Forward a pool application letter and the pool rules and regulations letter to the Board for review at next month's meeting.

**VI. ADJOURNMENT**

There being no additional business, the Board meeting adjourned at 9:20 p.m.

Motion: To adjourn the meeting at 9:20 p.m. Poon/Brill. Vote: 6:0:0.

Respectfully Submitted,

Rani Pellet  
Minute Taker

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- 1: To accept the minutes from the regular meeting dated December 1, 2005, as amended. Renner/Brill. Vote: 6:0:0.
- 2: To accept the proposal from Creative Landscaping for the purpose of completing landscaping projects on Mediterranean and Little Star Lane, with the caveat that additional funding in the amount of \$2,200 will have to be added to the budget to complete this project. This additional money will come from General Accounts. McDowell/Renner. 6:0:0.
- 3: To accept the request to install a 4' fence with a 1' additional lattice on the top of the fence as presented in the architectural request form with the stipulation that there would be a four-foot set back in the alleyway. Poon/Brill. Vote: 6:0:0.
- 4: To accept the brick patio in the back yard. Renner/Poon. Vote: 6:0:0.
- 5: To accept the proposal from Community Pools for the period of 3 years at per annum costs of \$66,000.00, \$62,212.00, and \$64,078.00 respectively. The contract must indicate the stipulation of a seasoned, mature pool manager, with the caveat that the Board meets the manager prior to the pool being opened. McDowell/Brill. Vote: 6:0:0.
- 6: To accept the proposal from Chapel Valley for the landscaping contract for fiscal year 2006 in the amount of \$104, 938.30. Poon/Renner. Vote: 6:0:0.
- 7: Move all money out into an insured money market account. That would be the uninsured money and the maturing CDs McDowell/Brill. The total amount moved out will be approximately \$90,000. Renner/McDowell. Vote: 6:0:0.
- 8: To adjourn the meeting at 9:20 p.m. Poon/Brill. Vote: 6:0:0.

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Action List  
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- 1: Mr. Whitney will contact the trash company and request that after emptying the trash containers, they will close up the trash container lids, before replacing them back into the trash corral.
2. Mr. Whitehouse will discuss with the condominium Board of Directors, the possibility of installing a sign that says, "For condominium residents only" by the trash corral.
3. Mr. Whitney will act as the Board requests regarding the Dunlevy increase in snow removal rates.
4. Discuss the additional plantings at the two other entranceways for the fall. This also needs to be added as an item in the budget discussions.
5. Mr. Whitney will follow up with Creative will offer any bulk rate discounts for plants.
6. Mr. Whitney will request a full package of information from the homeowner regarding the specifications of the deck, site plan, plat, etc.
7. Mr. Whitney will check with Mr. Wilson regarding the 'age' issue in the pool.
8. Find out why the Board has to move the money from Legg Mason into Wachovia Money when the money should be FDIC insured.
9. Mr. Whitney will provide the Board with a memo of the actions that have been undertaken since the inspection has taken place.
10. Forward a pool application letter and the pool rules and regulations letter to the Board for review at next month's meeting.