

**Fountain Hills Community Association, Inc.**  
**Regular Meeting Minutes**  
**July 5, 2007**

The Board of Directors of Fountain Hills Community Association, Inc. met at the UpCounty Regional Services Center, Germantown, Maryland on July 5, 2007 at 7:30 p.m. for a regular meeting.

## Present:

Mr. Tom McDowell, President  
Mr. Bill Renner, Vice President  
Mr. Frank Walsh, Secretary  
Mr. David Holtzman, Treasurer  
Ms. Sue Adamkiewicz, Director  
Ms. Sui Poon, Director

### Absent:

Ms. Robin Kastenmayer, Director

### **Others Present:**

Mr. Craig Wilson, President, Vanguard Management  
Mr. Stephon Collins, Vanguard Management  
Ms. Liz Van Brunt, Recording Secretary  
Mr. Phil Carter, Community Pool  
Mr. Rob Smith, Community Pool  
Jen Brill, ACC Chair

## Residents:

Sid Sharp  
Alice Calamar  
Nick Mahavi  
Bernard MacBeth  
Steven Muse

## **I. CALL TO ORDER**

Mr. Tom McDowell called the meeting to order at 7:32 p.m. with a quorum present.

## II. HOMEOWNER FORUM

The following list of issues was brought forth by residents during the open forum:

- Mr. Mahavi, 19009 Bennington Drive, spoke about his disappointment about the landscaping. Especially how neglected the plants are and how they aren't watered. The corner on Great Seneca is a major concern of his. Also the refurbished sidewalks, particularly the 13131Lake Geneva sidewalk, are quite deteriorated. The Dawson Farm asphalt path is dangerously deteriorated. A security issue is the walk along Clopper where the thorny blueberry bushes are much too big. His suggestion is to remove the bushes and replace with a non-thorny bush. The cable boxes are often left half open. Someone should call Comcast since his calls have gone unheeded. His concern is the community's liability on many of these issues. Mr. Mahavi had a question about the HOA policy on rentals. This, too, is a concern due to neglect of property. The board pointed out that many of his landscaping issues will be addressed later in the meeting under new business. The board also mentioned that the landscape plantings are not contracted to get watered by the landscape companies. Any issues need to be brought to the attention of Vanguard as soon as they arise.

53           • Mr. MacBeth, Lake Geneva Way, is concerned about the cost of postage. He would like  
54           to institute a neighborhood advisory council. His understanding is that they have to  
55           wait until the board's annual meeting. Rental units are also a concern for him.  
56           Playground contractors have been contacted for proposals to replace a particular  
57           playground. Mr. MacBeth presented drawings on proposed playground equipment. The  
58           board responded that the board voted on the postage issue and it was not approved. A  
59           neighborhood advisory committee would be supported if potential member names were  
60           proposed. A committee could be appointed before the annual meeting. If the names are  
61           presented tonight the committee could be in place by next month. Mr. MacBeth stated  
62           that the council would look out for its neighborhood, pass its police function on to the  
63           HOA, be eyes where the board might not see, and that it is all run by the bylaws. The  
64           board clarified the postage issue by asking if Mr. MacBeth was advocating more  
65           electronic distribution of communication.

66           • Mr. Muse, Port View Way, has been catching kids on the trails and he realizes these kids  
67           are not from the neighborhood. His question was if the board approves pressing  
68           charges against these trespassers. There are posted 'no trespassing' signs. The board  
69           said they signed the appropriate letter so their intention is to follow through on this  
70           law. Mr. Muse also raised the issue of parking on sidewalks, commercial vehicles  
71           parked within the neighborhood and neighbors who have garbage out for days,  
72           amongst other 'plain view' concerns. The details of the way each of these plain view  
73           issues are handled were outlined by Mr. Wilson. The board stated that residents that  
74           see issues need to send a written complaint with the address of the issues to  
75           management. Then a warning letter goes out, followed by a fine letter. The resident has  
76           10 days to solve the problem. The process takes about 3 weeks. There was some  
77           discussion about board and management duties. Mr. MacBeth asked if the  
78           management team could go out and drive the neighborhood.

79           • A resident reiterated that he would like the communications be sent more by electronic  
80           means.

81           • Mrs. Adamkiewicz raised a question about pool drains and whether they were safer than  
82           those in a article she read detailing a pool drain accident. The pool company replied  
83           that the community pool's drains are much safer and regulated.

84           • A board member asked about the underwater lights that are on all through the night. The  
85           pool company had the understanding that they were to leave them on. They were asked  
86           by the board, from tonight on, to be turned off after the pool closes.

87           • A resident on Artemis Drive asked what was the original paint color used by the builder.  
88           Since no one knows, the board said the best solution is to find a matching paint chip at  
89           a home repair store.

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91           **111. MINUTES OF MEETING**

92           The Board reviewed the minutes of the previous meeting, May 3, 2007. Changes by the  
93           board were noted directly in the Word document.

94           The Board reviewed the minutes of the previous meeting, June 7, 2007. Starting at line 76 -  
95           use sub points rather than lettering which then affects the rest of the numbering. Remove  
96           one of the "management reports" subagenda titles.

97           Motion:   Accept the meeting minutes dated May 3, 2007 as amended. Renner/Holtzman. Vote:  
98                    Unanimous.

99           Motion:   Accept the meeting minutes dated June 7, 2007 as amended above. Poon/McDowell.  
100                    Vote: Unanimous.

101           **IV. POOL**

102 The pool company was asked if the rest of the summer will go more smoothly. They  
103 defended their original hiring and explained that they removed all but one staff from their  
104 payroll. John Turner and Shannon Janney are the new managers. The pool company said  
105 the only real rule issue they are having has to do with pool floats. Mr. McDowell stated  
106 that August could be an issue when guards go back to school and the staff gets down to a  
107 skeleton crew. Mr. Walsh asked about the supply of rubber pants and whether they are  
108 being distributed. The board wants to be sure that the rubber pant rule is being enforced  
109 since it is a law. This issue needs further investigation. Pool equipment was stated to be in  
110 good shape. The board reiterated that the pool can't be backwashed when it becomes an  
111 overflow issue.

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113 **V. COMMITTEE REPORTS**

114 **Architectural Review Committee**

115 There was a meeting for 3 applications that caused much discussion. They approved the  
116 challenging one since they didn't find anything in the guidelines that would preclude their  
117 request. The committee discovered some of the guidelines need to be clarified for future  
118 application.

119 **Social Committee**

120 The board stated that it would be nice to have a social event planned for this summer.  
121 Discussion ensued as to appropriate location.

122 **Landscaping Committee**

123 No report (no chairperson)

124 **Pool Committee**

125 Thanked management for forwarding the emails in regards to the pool staff issues. The pool  
126 staff has been noted to call the police more often when issues arise. The board asked about  
127 the pool furniture condition – there are only about 20 chairs left to be re-strapped.

128 **Web Committee:**

129 There is a new link on the last page of the website.

130 **Fountain Hills Condominium**

131 There will be a large increase in dues. The last meeting was about the budget.

132 **Treasurer's Report**

133 Mr. Holtzman reviewed the consolidated financial report. He asked why the notary fees are  
134 separate since the management staff are notaries and it would seem to be part of the service  
135 contracted. He also questioned the towing charges for which the HOA was responsible. He  
136 also questioned the cost overrun on landscaping. Mr. Collins will get back to the board on  
137 these issues by email. The outstanding debt has already been resolved.

138

139 **VI. MANAGEMENT REPORT**

140 **A. Landscape committee development**

141 Don Webb, a resident, was asking to be appointed the chair of the landscape committee.

142 Motion: Approve the appointment of Don Webb as the landscape committee chair.

143 McDowell/Holtzman Vote: Unanimous

144 **B. Landscape Contract**

145 The board mentioned they would like more proposals from other landscape companies.  
146 Changing landscape companies will affect the budget. Bids will come in very soon. In order  
147 to drop the current contract it can be done with or without cause. A 30 day notice without  
148 cause is the quickest way. This could be submitted soon. The board discussed the potential  
149 of a three year contract. The current proposal asks the companies to finish out the year,  
150 2007-2008 snow removal along with the 2008 spring/summer seasons. The current contract  
151 was the lowest bidder. Vanguard warned the board about this and the potential poor quality  
152 became reality. The board noted that in trying to save the community a lot of money the  
153 decision to hire the current landscape company's poor performance cost the homeowners in  
154 another way. Dunn Levy and AW are the current bidders. Watering is an hourly rate item  
155 along with the cost of the water. When the hydrants were used in the past a water meter was  
156 placed on the hydrant. The board asked management to include watering in the call for  
157 proposals.

158 Action: Vanguard will get the landscape company proposals to the board as soon as they come in.  
159 They will add watering to the call for proposals.

160 **C. Zoning Application**

161 Mr. Holtzman questioned the zoning application that is up for vote near the community. He  
162 suggested the community look more closely at the application and express concern if there  
163 is need to do so. Mr. Renner responded that it is open for all residents to respond on their  
164 own, it wouldn't be a matter for the board.

165 **D. Audit Engagement Letter**

166 An auditor needs to be selected from a pool of four - DeLeon & Stang, Dennis Alexander,  
167 CPA, OAA Mohn & Allen, PC, and Glodklang Cavanaugh. There was some discussion  
168 about the various auditing companies and Vanguard's experiences. Mr. Wilson mentioned  
169 that audits cost more these days due to higher standards and requirements now in place.

170 Motion: To continue with DeLeon & Stang and have them conduct the Association's annual audit.  
171 McDowell/Renner Vote: Unanimous

172 **E. Delinquent Account**

173 Some discussion as to whether the board has enough information to move forward in one  
174 direction or another. Management recommends that the board accept the proposed payment  
175 plan even with the eventuality of a foreclosure.

176 Motion: Accept the payment plan proposed by resident Gregory Bobby. McDowell/Poon Vote:  
177 Unanimous

178 **VII. UNFINISHED BUSINESS**

179 Hangtag system clarification – those without hangtags are allowed to be towed.

180 The condominium community realizes that the towing company won't do rounds without  
181 being called in specifically.

182 **VIII. NEW BUSINESS**

183 **A. Playground Replacement**

184 There was discussion about removing the split rail fences around the various playgrounds.  
185 Playgrounds replacement timing is coming up.

186 Action: Vanguard will look into the replacement of the playground in question.

187 **B. Neighborhood Advisory Committee**

188 The board asked Mr. MacBeth to bring forward his potential committee members to the  
189 board by email. Mr. Walsh asked management to do an after hours drive through.  
190 Management responded by asking what the board would like to see in such drive through.

196 Action: Vanguard will investigate what is required to form a community advisory committee.

197 Action: Vanguard will share the potential price of what it would cost to have management do an  
198 after hours drive through.

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## IX. ADJOURNMENT

There being no additional business the Board meeting adjourned at 9:29 p.m.

202 Motion: To adjourn the meeting at 9:29p.m. Poon/Holtzman. Vote Unanimous.

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Respectfully Submitted,

Liz Van Brunt, Recording Secretary

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Motion List  
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211 1: Accept the meeting minutes dated May 3, 2007 as amended by electronic editing.  
212 Renner/Holtzman. Vote: Unanimous.

213 2: Accept the meeting minutes dated June 7, 2007 as amended above. Poon/McDowell.  
214 Vote: Unanimous.

215 3: Approve the appointment of Don Webb as the landscape committee chair.  
216 McDowell/Holtzman Vote: Unanimous

217 4: To continue with DeLeon & Stang and have them conduct the Association's annual  
218 audit. McDowell/Renner Vote: Unanimous

219 6: Accept the payment plan proposed by resident Gregory Bobby. McDowell/Poon  
220 Vote: Unanimous

221 7: To adjourn the meeting at 9:29p.m. Poon/Holtzman. Vote Unanimous.

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228 1: Vanguard will get the landscape company proposals to the board as soon as they come in. They  
229 will add watering to the call for proposals.

230 2: Vanguard will look into the replacement of the playground in question.

231 3: Vanguard will investigate what is required to form a community advisory committee.

232 4: Vanguard will share the potential price of what it would cost to have management do an after  
233 hours drive through.