

**Fountain Hills Community Association  
Board of Directors Meeting  
July 1, 2014**

**As Approved at the August 7, 2014 Board of Directors Meeting**

**Board Members Present:** Jackie Arnold, President  
Nicolm Mahabir, Vice President  
Hari Donti, Secretary  
Frank Walsh, Director

**Board Members Absent:** Harry Matchett, Treasurer  
Steven Muse, Director

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

**Homeowners Present:** Thomas Brennan, 16002 Mediterranean Drive  
David Holtzman, 18715 Sparkling Water Drive #102  
Robert Love, 18723 Autumn Mist Drive  
Tina Patterson, 13315 Tivoli Fountain Court  
Siu Poon, 19020 Noble Oak Drive  
Andrew Riddle, 18701 Autumn Mist Drive

**Call to Order**

The meeting was called to order at 7:33 pm by Board President Jackie Arnold.

**Homeowner Forum**

Jackie Arnold advised that one hour would be allotted for homeowner forum.

Andrew Riddle raised concern over the fences along Great Seneca Highway and Clopper Road that are in various stages of disrepair. Jackie Arnold reported that graffiti from the fence was removed by a Board member and that volunteers planned to relocate boards in better condition to the front of the fence and damaged boards to areas not as visible. Ruchita Patel commented that this would result in cost savings to the community. She also suggested that a notice soliciting volunteers to assist with this work be added to the newsletter, which she planned to have mailed within the next few weeks. It was agreed that the fence should be repaired by the end of August.

Mr. Riddle also discussed installation of an additional speed bump on Autumn Mist Drive. Ruchita Patel suggested that mention of this issue be added to the newsletter soliciting feedback from residents on the need for additional speed bumps. In addition, Mr. Riddle felt that additional lighting was needed on Autumn Mist Drive.

Several homeowners discussed a Neighborhood Watch. Siu Poon commented that this had been discussed by the Board in the past and that a Neighborhood Watch takes a great deal of commitment from residents. Ruchita Patel suggested that this topic also be mentioned in the newsletter so that volunteers could express their interest and a separate meeting with the Police Department could be organized.

Manjit Kaur also expressed her concern regarding the need for additional lighting on Autumn Mist Drive. Ruchita Patel advised that she had instructed the landscapers to prune back branches from

streetlights and will ask an electrician to evaluate the current lighting situation and offer options for increasing lighting output, possibly changing lighting covers or converting to LED bulbs.

Ms. Kaur discussed the poor placement of a dog station on Autumn Mist Drive and asked if it could be relocated along Great Seneca Highway.

Ms. Kaur inquired as to the number of dog stations in the community. Jackie Arnold responded that there were about 5 to 7 of them and that a price can be obtained for relocation. Ruchita Patel noted that she would also solicit feedback regarding dog stations in the newsletter. Nick Mahabir felt that use of dog stations should be discontinued in the community. Since Maryland law provides a remedy for those who do not pick up after their pets, dog stations are not mandatory. Additionally, they only benefit those in the community who own dogs.

David Holtzman agreed that there was no need for the community to supply dog stations. He suggested that those homeowners who wanted these in their areas pay for them.

Mr. Holtzman inquired regarding the incorrect meeting date on a postcard that was mailed to the community. Ruchita Patel advised that this was an error and would be corrected in the upcoming newsletter.

Mr. Holtzman noted his concern regarding the pool pass mailing to the community and the fact that use of an electronic pool pass system would begin this season. Jackie Arnold advised that this item was voted on and accepted during contract negotiations with TMGA and was mentioned in the May Board meeting minutes.

Mr. Holtzman questioned the Condominium's inclusion in payment of the community's water quality protection charges. Ruchita Patel advised that she had researched the issue and responded to Mr. Holtzman in writing on this topic.

Tom Brennan reminded the Board that he had emailed them two months ago regarding several items. He feels that the community has money in their reserve account and that there is no need to solicit volunteers to perform repairs.

Robert Love mentioned that this was the first Board meeting that he has attended. He received the postcard and requested clarification on meeting dates. He also volunteered to join the Architectural Review Committee.

Tina Patterson inquired as to the architectural change form she submitted to replace her screen door. Ruchita Patel advised that this item was on the agenda for discussion.

Frank Walsh mentioned that the Board-approved budget distributed by Vanguard was different than the one that was mailed to the community. Numbers had been rounded up to the nearest cent. He stated that this should not have occurred without Board approval.

Nick Mahabir felt that there appeared to be a pattern of issues being discussed by email and implemented without the proper voting procedure. He felt that unilateral decisions should be prohibited. Ruchita Patel advised that she will be vigilant about avoiding this practice. In addition, Nick felt that the Board meeting agenda should be posted on the website as a draft agenda since it is not seen by the Board until posting. Ruchita Patel confirmed that going forward, the agenda posted on the community website ahead of the meeting date would be labeled as a draft.

Manjit Kaur inquired as to why the ARC could not meet outside of the Board meetings. Jackie Arnold advised that until now, there were not enough volunteers for the committee. There are now several volunteers to appoint to the ARC.

Frank Walsh noted that he was not aware of the change in Recording Secretary. Jackie Arnold noted that the Board had voted to have Harry Matchett negotiate the new contract with TMGA and that this was part of the contract. Ruchita Patel confirmed that the contract includes services of a Recording Secretary at the same fee that was paid in the past.

Jackie Arnold closed the homeowner forum at 8:30 pm.

### **Meeting Minutes**

The Board reviewed the minutes of the June 5, 2014 Board of Directors meeting. Frank Walsh provided a redlined document outlining various changes. Jackie Arnold moved to accept the minutes of the June 5, 2014 with the changes presented and discussed. Hari Donthi seconded the motion and it was approved 3 in favor and 1 abstention (Nick Mahabir).

### **Committee Reports**

**Architectural Review Committee** - Jackie Arnold volunteered to be the Board Liaison for this Committee. Hari Donthi moved to appoint Jackie Arnold as Board Liaison for the ARC. Nick seconded the motion and it was approved unanimously.

Two homeowners, James Savory and Robert Love, had volunteered to join the ARC. Jackie Arnold moved to appoint James Savory and Robert Love to the ARC. Nick Mahabir seconded the motion and it was approved unanimously.

Ruchita Patel advised that architectural change requests had been received from two homeowners:

13310 Tivoli Fountain Court - One application received for a 6 foot fence and gate and another for a paver patio. Jackie Arnold moved to approve both applications. Hari Donthi seconded the motion. The motion was approved 3 for and 1 abstention (Frank Walsh).

13315 Tivoli Fountain Court – Homeowner Tina Patterson was present at the meeting to discuss her application for a replacement white storm door. Hari Donthi moved to approve the replacement of the white storm door on Ms. Patterson’s property. Jackie Arnold seconded the motion and it was approved unanimously.

**Landscaping** - Ruchita Patel reported that she is working with the Committee to develop a list of trees to remove and replace as well as a list of areas in the community that require turf renovation.

Tina Patterson and Frank Walsh volunteered to join the Landscaping Committee. Jackie Arnold moved to appoint Tina Patterson and Frank Walsh to the Landscaping Committee. Hari Donthi seconded the motion and it was approved 3-0-1 (Frank Walsh abstained).

**Social Committee** - Siu Poon discussed the 4th of July pool party that was planned and the need for a budget. Jackie Arnold reported that she had spoken to the pool company and they would provide an

extra lifeguard for the party at no cost if the pool closes early that day. The Board discussed the early closing and the short notice to the community.

Hari Donthi moved to allocate \$100 toward the cost of an additional lifeguard for the party. The motion was seconded by Jackie Arnold and failed 2-2 (Frank Walsh and Nick Mahabir voted against).

Hari Donthi moved to approve the party with a maximum budget of \$150 and the extra cost for the lifeguard. Jackie Arnold seconded the motion. The motion was approved unanimously.

Following discussion, Hari Donthi moved to approve closing the pool at 6 pm on July 4th with the cost for the extra lifeguard negated by the early close. Jackie Arnold seconded the motion and it was approved unanimously with a vote of 3-0-1 (Nick Mahabir abstained).

Jackie Arnold discussed the need for a volunteer as Board Liaison for this Committee. Frank Walsh commented that the Board Liaison position was not legally required and he does not see the reason for it. Committee Chairs should be appointed and be present at Board meetings to report on their Committee's activities.

**Pool Committee** - Jackie Arnold reported that Jerina Ordona had volunteered for the Pool Committee. Jackie Arnold moved to appoint Jerina Ordona to the Pool Committee. Hari Donthi seconded the motion and it was approved unanimously.

It was mentioned that additional volunteers are needed for the Pool Committee. Ruchita Patel advised that she would add this notice to the newsletter.

**Website/Newsletter Committee** - Nick Mahabir noted that Rick Morris was the website administrator and had no administrative responsibility on any other committee. He is concerned that access for some Board members to the Board email account was blocked. There was discussion over the purpose and need for the Board of Directors email account.

Ruchita Patel suggested that a Communications Policy be drafted to address these issues. It was noted that Steven Muse had been drafting this. Ruchita advised that she would contact Steven and complete a draft of this document for the Board's review.

Siu Poon asked to have a link on the community website's home page to the CCOC case documents rather than just have it available on the Residents tab where they are currently. Ruchita Patel advised that she would ask Rick Morris to make this adjustment to the website.

**Enforcement Committee** - Discussion on this matter was deferred as Chair Harry Matchett was not present.

### **Voting Items**

**Motion to Rescind** - Discussion on this matter was not held since Harry Matchett was not present.

**Resident Agent and Principal Office** - Discussion was held regarding appointment of a new Resident Agent. Jackie Arnold moved to appoint TMGA as the community's Resident Agent. Frank Walsh seconded the motion and it was approved unanimously. Frank Walsh noted that the Department of Assessments charges a \$25 fee charged for this change.

**Legal Counsel** - Ruchita Patel presented a number of proposals for the Board's review. She discussed her experience with each firm, provided recommendations and suggested that 2-3 firms be selected for interviews. Following discussion, it was decided that Ruchita would email the Board with proposed dates for a separate work session to interview the firms selected.

**Audit Contract** - Since Treasurer Harry Matchett was not present at the meeting, Nick Mahabir moved to table discussion on this matter until the August meeting. Hari Donthi seconded the motion and it was approved unanimously.

**Pool Pass Pictures** - Discussion took place on this matter since some had concerns regarding security and storage of photographs. It was decided that, if photos are not required by the software, they not be mandatory for residents. Frank Walsh moved to withdraw the requirement for residents to provide photos in order to obtain a pool pass. Hark Donthi seconded the motion and it was approved unanimously.

**Legal Invoices** - Ruchita Patel advised that the Schild Law Group is requesting payment for all legal invoices before they release any files. Following discussion of the invoices and listed amounts due, the Board asked Ruchita Patel to further review the invoices and determine the correct amounts owed. Nick Mahabir moved to table a vote on this matter until the August meeting. Jackie Arnold seconded the motion and it was approved unanimously.

**Collection Attorney** - Due to time constraints, Jackie Arnold moved to defer a discussion on appointment of a collection attorney for the community until the August meeting. Hari Donthi seconded the motion and it was approved unanimously.

**Vacant Board Position** - Discussion was held on whether to keep this position open until the Annual Meeting or to appoint Jim Gribble at this time. Nick Mahabir moved to appoint a homeowner to this position. Frank Walsh seconded the motion. The motion failed 1-2-1. Jackie Arnold and Hari Donthi were opposed. David Holtzman noted that there was no Nominating Committee established to replace the vacancy. He asked whether Tom Brennan's position was as an at-large or townhouse representative.

Jackie Arnold moved to defer decision on this matter to the August meeting. Hari Donthi seconded the motion and it was approved unanimously.

**Late Fee Waiver** - Jackie Arnold moved to defer discussion on this matter until the August meeting.

**Fountain Repair** - Nick Mahabir moved to approve the mentioned repairs to the two fountains for a cost of \$1,610. Hari Donthi seconded the motion and it was approved unanimously.

### **Adjournment**

Nick Mahabir moved to adjourn the Board meeting at 10:15 pm.

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