

# **Fountain Hills Community Association**

## **Board of Directors Meeting**

### **March 3, 2011**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the UpCounty Regional Services Center on Thursday, March 3, 2011 at 7:30 p.m.

#### **Board Members Present:**

Phil Suter, President  
Vernard McBeth, Vice President  
Daryl McFadden, Treasurer  
Frank Walsh, Secretary  
Shirley Fair, Director  
Steven Muse, Director

#### **Also Present:**

Stephon Collins, Community Manager  
Craig Wilson, Vanguard Management  
Melanie Wilson, Vanguard Management  
Ruth Ann Allen, Recording Secretary

#### **Board Member Absent:**

Niclom Mahabir, Director

#### **A. CALL TO ORDER**

The March Board of Directors Meeting was called to order by Phil Suter, at 7:35 p.m.

#### **B. MANAGEMENT REPORT**

##### **1. Enforcement Policies and Procedures**

Management provided the Board with a copy of the Violation Enforcement Procedure that has been edited to reflect the changes that were addressed at the February Board Meeting. Additionally, Craig Wilson made a number of changes to correct a number of other inconsistencies in the original document.

At present, the Association's Declarations state that a Hearing for a violation must be requested by the homeowner. Mr. Wilson stated that there is a bill in the Maryland State Senate where the Association can request that the homeowner come for a Hearing before a fine is levied. This law has been part of the Condominium policy for years and is now being moved to the HOAs.

Mr. Wilson advised the Board that there were several pitfalls to using a violation ticket that would be placed on the doorknob or otherwise at the home. Steven Muse suggested having a ticket book with copies in triplicate, where one (1) copy would be sent to the homeowner, one (1) would go to Management, and one (1) to the Enforcement Committee. Homeowners would received violation notices sooner than if they were routed through Management.

The Board also reviewed the violation spread sheet provided by Management. Several accounts have a larger amounts of fines. Management inquired of the Board how long fines should be levied. If a fine is levied daily, the violation should be checked

everyday or every few days in order to justify it. Management recommended that fines be levied for “x” number of dollars or “x” number of days. Also, the Association does allow for someone to enter a property upon notification to the homeowner, but the homeowner can respond by filing a law suit. Management recommends that no one go onto the property. Management recommended that fines stop accruing after thirty (30) days and then move onto the next step.

Management stated that the next step would be to take the homeowner to the CCOC (Commission on Common Ownership Communities). The CCOC will send a certified letter to the homeowner from the County with 30 (thirty) days to respond. Mr. Wilson stated that most homeowners will comply when they receive a letter from the County. The CCOC would schedule mediation and can award fines. There is a \$50.00 filing fee and a \$90.00 administration fee. These fees are not always reimbursed under the agreement with the homeowner. It often takes four (4) to (5) months to schedule a mediation. During mediation, the Board and the homeowner can make any agreement. At the mediation session, there are at least three (3) people; legal counsel or Board member, the homeowner, and Management

**MOTION:** (Vernard McBeth/Steven Muse) Accept the changes to the Enforcement Policies and Procedures.

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

Management stated that from the list of current violations, no homeowner has paid the fine. The fines are currently on the homeowner’s account, but violation fines are not subject to late fees.

The Board requested that the accounts with the largest violation fees be asked to attend Hearings at the April Board Meeting. These accounts are 13523 Hamlet Square, 13110 Lake Geneva Way, 18927 Porterfield Way, and 13527 Hamlet Square.

## C. MINUTES

1. November 4, 2010 Board of Directors Meeting Minutes

**MOTION:** Frank Walsh/Vernard McBeth) Approve the November 4, 2010 Board of Director Meeting Minutes as corrected.

**Vote:** Motion Passed - 3 ayes/ 3 abstentions (McBeth, Suter, Fair)

2. February 3, 2011 Board of Directors Meeting Minutes

**MOTION:** (Phil Suter/Steven Muse) Accept the February 3, 2011 Board of Director Meeting Minutes as amended.

**Vote:** Motion Passed - 5 ayes/1 abstention (McBeth)

## D. MANAGEMENT REPORT (cont’d)

2. Web Committee Recommendations

Management provided the Board with the recommendations from the Ad-Hoc

Fountain Hills HOA  
Board of Directors Meeting  
March 3, 2011

Web Committee for changes to the web site.

**MOTION:** (Vernard McBeth/Phil Suter) Accept the minutes from the Ad-Hoc Web Committee Meeting and accept the proposed changes for the web site.

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

3. Hang Tags for Harmony Woods Lane

**MOTION:** (Vernard McBeth/Daryl McFadden) Have residents on Harmony Woods Lane pick up their hang tags from the Vanguard Management office.

Management provided the Board with samples of different types of tags/decals to choose for use on Harmony Woods Lane. The Board suggested that the same tags that are used on Lake Geneva Way be used for Harmony Woods Lane.

Phil Suter mentioned that picking up the hang tags at the Vanguard Office could be inconvenient as a homeowner/resident may not be able to get Vanguard Management during their office hours and noted that Vanguard closes at noon on Fridays and is not open on the weekends. Phil Suter also stated that based on homeowner comments from previous meetings, some homeowners were going to be inconvenienced by this solution and suggested that the Board make the distribution of hang tags more homeowner friendly. Vernard McBeth suggested that an option would be for homeowner/residents from Harmony Woods Lane to pick up their hang tags at the pool on the first Saturday of pool pass distribution. The Board was concerned that the towing would start on Harmony Woods Lane on April 1<sup>st</sup> and all the residents may not have their parking passes. Management stated that the towing on Harmony Woods Lane would start when the towing company is notified by Management.

**Amend:** (Vernard McBeth/Daryl McFadden) Residents can come to the first pool pass distribution day at the pool house to pick up their hang tags along with pool passes.

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

Those residents who do not pick up their parking hang tags on the first pool pass distribution Saturday will need to come to the Management offices and sign for them.

4. Tree Removal and Replacement Proposal

Management provided the Board with proposals from AW Landscapes and McFall & Berry for tree removal and replacement in the community. The Board inquired why McFall & Berry was suggesting replacing some trees with White Pines instead of the Japanese Cedar. Management will let McFall & Berry know that the White Pines in the community are suffering from a disease. and the Board would prefer not to install more White Pines.

The Board mentioned several areas where there are trees that need to be removed that are not on the proposals.

The Board tabled the decision on these proposals.

5. Flower Bed Enhancements Proposal from McFall & Berry

Fountain Hills HOA  
Board of Directors Meeting  
March 3, 2011

McFall and Berry submitted a proposal for flower bed enhancements in the community at a cost of \$24,979.00. The landscape improvement budget is \$16,000.00. Management stated that there is also a miscellaneous line item that can be used for landscaping, and the landscape improvements would cross over into next year's budget. Phil Suter mentioned that he would walk through the community to view the areas and suggestions for flower bed improvements.

The Board tabled the decision on the flower bed enhancement.

The Board noted that the intersection on Area #6 of the McFall & Berry proposal should be Dawn Farm and Mediterranean instead of Dawson Farm and Liberty Mill.

## **6. Pool Policies and Procedures**

The Board discussed with Management the policy for pool pass distribution and other details related to the new computerized pool passes.

The Board agreed that there would be a zero (0) grace period of allowing pool pass holders into the pool who have delinquencies. Pool passes will be issued to all homeowners, but if the homeowner has any balance on their account, they will not be allowed into the pool. Management suggested that accounts over \$76.00 would be considered delinquent as accounts are not overdue until the 15<sup>th</sup> of the month. The first delinquent report will be ready around the 23<sup>rd</sup> or 24<sup>th</sup> of May for the beginning of the pool season on May 28<sup>th</sup>.

Management will draft a letter to homeowners explaining the pool pass policy and provide it to the Board for their review by the beginning of the week of March 7th. After Board approval, Management will then mail the letter explaining the new pool pass system to homeowners, along with the pool pass application.

There was a preliminary discussion on pool pass logistics and how the Board will handle distributing pool passes to homeowners. A potential suggestion would be for residents to bring their completed pool pass application and some form of ID to the pool on the specified dates to receive the pool pass card. The application will also be placed on the web site.

When a tenant moves from the community, tenants will need to return their pool passes to the homeowner. As long as the pool passes are returned, there will be no charge to homeowners to provide pool passes to new tenants. The charge for replacing a pool pass will be \$50.00 each.

These discussions were preliminary and the actual logistics would be determined at a later date.

When a tenant moves from the community, tenants will need to return their pool passes to the homeowner. As long as the pool passes are returned, there will be no charge to homeowners to provide pool passes to new tenants. The charge for replacing a pool pass will be \$50.00 each.

Homeowners or residents who do not pick up their pool passes during the hours scheduled at the pool will need to pick up their pool passes at the Vanguard offices.

Fountain Hills HOA  
Board of Directors Meeting  
March 3, 2011

**7. Concrete Repairs**

Management inspected the sidewalks throughout the community and noted areas that are in need of repair. Management has received bids from RJ Landscape Contractors and O'Leary Asphalt. Bids were also solicited from Knoble, Inc. and Brothers Concrete, but proposals were not received. The repairs should not be done until the weather is consistently above 40 degrees. The Board will discuss the concrete replacement at the next Board Meeting.

The curb in the cul de sac of Porterfield Drive and Lake Placid Terrace is crumbling. Management stated that this is the County's responsibility.

**8. Tot Lot Replacement**

Management provided the Board with playground replacement proposals from Playground Specialists and BOSCO Playgrounds for tot lots at Tivoli Fountain Court and Fountain Club Drive. These tot lots were originally scheduled for replacement in 2012 in accordance with the 2006 Reserve study. Management also solicited bids from Mid-Atlantic Sport Systems, but the proposal has not been received. Management will request that a representative from these contractors come to the next Board Meeting to present their plans for the tot lots.

**9. Draft FY 2012 Budget**

Management stated that the Board has the option of passing the budget with a small decrease in the assessments or a zero percent (0%) increase with extra monies placed in a contingency fund.

**MOTION:** (Phil Suter/Steven Muse) Accept the draft FY 2012 Budget reflecting a zero percent (0%) increase and mail the notification of the 2012 budget to homeowners.

**Vote:** Motion Passed - Unanimous

The approved budget will be placed on the web site.

**E. UNFINISHED BUSINESS**

**1. Reserve Study**

Management reported that the draft Reserve Study has been received, but Management will be checking on some items on the Reserve Study that are not consistent with the previous Reserve Study.

**F. NEW BUSINESS**

**1. Entrance Signs to Fountain Hills**

Vernard McBeth mentioned that the entrance signs to Fountain Hills need to be replaced. Management suggested that the Board give ideas as to what they would like the sign to look like.

**2. Pool House**

Fountain Hills HOA  
Board of Directors Meeting  
March 3, 2011

Vernard McBeth inquired if any updating needed to be done to the pool house.  
Mr. McBeth mentioned that the Board consider replacing the dome on the pool house.

3. Trash Removal

Daryl McFadden requested that Management solicit bids for trash removal contractors.

**G. ADJOURNMENT**

**MOTION:** (Vernard McBeth/Phil Suter) Adjourn the March Board of Directors Meeting at 9:35 p.m.

**Vote:** Motion Passed - Unanimous