

Corrected as approved January 2, 2013

**Fountain Hills Community Foundation
Board of Directors Meeting
November 7, 2013**

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

Board Members Present:

Nicolm Mahabir, President
Tom Brennan, Vice President
Harry Matchett, Treasurer
Frank Walsh, Secretary

Also Present:

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

Homeowners Present:

Jacqueline Arnold, 13325 Tivoli Fountain Court
Hari Donthi, 13343 Tivoli Fountain Court
Virginia Aspilcueter, 18701 sparkling Water Drive, Unit L
Chuck and Marilyn Tuori, 13400 Rising Sun Lane
Hussain Jabalpurwala, 13407 Rising Sun Lane
Don Webb, 13327 Tivoli Fountain Court
Tim Smith, 13327 Tivoli Fountain Court
Joyce Kral, 18808 Sparkling Water Drive, Unit 202
Arnold and Coretta Jefferson, 13403 Rising Sun Lane
Vernard McBeth, 13108 Lake Geneva Way
Steven Muse, 18804 Porterfield Way

A. 2013 ANNUAL MEETING

The Fountain Hills Community Association held the 2013 Annual Meeting.

B. CALL TO ORDER

The November Board of Directors Meeting was called to order by Nicolm Mahabir at 7:45 p.m.

C. MINUTES

1. October 24, 2013 Board of Directors Meeting Minutes

MOTION: (Tom Brennan/Frank Walsh) Accept the Board of Directors Meeting Minutes as edited.

Vote: Motion Passed - Unanimous

D. DIRECTOR AND OFFICER REPORTS

1. President's Report

Nicolm Mahabir, Board President, stated that it had been a pleasure to serve as President of the Board of Directors. Mr. Mahabir stated that this last year had seen improvement at the pool, pool personnel, and the landscaping. Mr. Mahabir noted that the budget presented to the Board by Management had an eight percent (8%) increase, but the Board worked to lower the increase to one and a half percent (1.5%). Mr. Mahabir stated that he wants to keep Fountain Hills as a premier community that is a safe place to live, friendly and neighborly.

Mr. Mahabir stated that the Board receives comments from homeowners and makes every effort to follow through on these comments.

E. COMMITTEE REPORTS

1. Social Committee

The Social Committee held three (3) events this year. A yard sale was held in the spring, a party was held on July 4th, and a community picnic was held at the pool in August. These events were all reported as successful. The Social Committee will meet early next year to discuss plans for social events in 2014.

F. HOMEOWNER OPEN FORUM

1. Virginia Aspuecuter, 18701 Sparkling Water Drive, Unit L, stated that homeowners need to pick up after their pets, and the Board needs to look into ways to ensure that this happens.

2. Hussain Jabalpurwala, 13401 Rising Sun Lane, noted that the parking on Rising Sun Lane is a problem. He noted that people park on the street in front of homes for long periods of time, and there are units that have many cars. The Board stated that the parking in this area can be looked into, but it is a perennial problem in the community.

3. Jackie Arnold, 13325 Tivoli Fountain Court, inquired about the status of installing a dog station at Tivoli Fountain Court. The Board stated that Management is handling this matter and the new Board will follow up on this matter. It was noted that residents can call the police to report people who do not pick up after their dogs; it was noted that the police will want an address of the person who is involved.

4. Vernard McBeth, 13108 Lake Geneva Way, requested that the New Business portion of the Annual Meeting be opened for homeowner comments. Mr. Mahabir stated that the Annual Meeting can be reconvened following the rest of the homeowner comments of the regular Board meeting.

5. Marilyn Tuori, 13400 Rising Sun Lane, noted that residents of, and visitors to,

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the Condominium park on Rising Sun Lane, but residents on Rising Sun Lane cannot park in the Condominium. Ms. Tuori inquired if there was a way to keep the Condominium from parking in the HOA. Mr. Mahabir noted that the Board can look into this matter. Ms. Tuori noted that she had communicated with the Condominium Board President, but had seen no action.

6. Steven Muse, 18804 Porterfield Way, stated that he was looking for fiscal responsibility from the Board and inquired why there was an increase in the budget. Mr. Muse noted that there should be less regulation concerning some violations that are temporary. Mr. Muse stated that the Association needs more transparency to the community, especially notifications of meetings of committees and sub-committees. Mr. Muse stated that there should be a greater police presence in the community for safety, and the community should have a conversation with the police concerning this matter.

G. ANNUAL MEETING (Reconvened)

The Annual Meeting was reconvened at 8:03 p.m. for homeowner comments and the voting results.

The Annual Meeting was adjourned at 8:25 p.m.

H. REGULAR BOARD OF DIRECTORS MEETING (Reconvened)

The regular Board of Directors Meeting was reconvened at 8:30 p.m.

MOTION: (Tom Brennan/Harry Matchett) Nominate Nicolm Mahabir as Chair of the Board of Directors Meeting until officers are elected.

Vote: Motion Passed - 6 ayes/1 nay (Muse)/0 abstentions

I. ORGANIZATIONAL MEETING

The Board elected four (4) Board members to officer positions. Nicolm Mahabir stated that he is stepping down as president of the Board, but is willing to serve as vice president.

1. Board President

MOTION: (Hari Donti/Steven Muse) Nominate Jackie Arnold as president.

MOTION: (Harry Matchett/Tom Brennan) Nominate Tom Brennan as president

Vote: By a vote of 4 ayes for Jackie Arnold to 3 ayes for Tom Brennan, Jackie Arnold was elected as president of the Board of Directors.

2. Board Vice President

MOTION: (Steven Muse/Jackie Arnold) Nominate Steve Muse as Vice President

MOTION: (Joyce Kral/Nicolm Mahabir) Nominate Nicolm Mahabir as Vice President.

Vote: By a vote of 4 ayes for Nicolm Mahabir to 3 ayes for Steven Muse, Nicolm

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3. Board Secretary

MOTION: (Tom Brennan/Joyce Kral) Nominate Harry Matchett as secretary.

Harry Matchett declined the nomination.

Joyce Kral declined a nomination for secretary.

MOTION: (Hari Donti/Steven Muse) Nominate Hari Donti as secretary.

Vote: Motion Passed - Unanimous

4. Board Treasurer

MOTION: (Tom Brennan/Joyce Kral) Nominate Harry Matchet as Treasurer.

Steven Muse declined a nomination for Treasurer.

Vote: Motion Passed – Unanimous

J. MANAGEMENT REPORT

Board President, Jackie Arnold, requested that Niclom Mahabir moderate the Board of Directors Meeting.

1. 2014 Operating Plan

Management provided the Board with an Operating Plan for 2014, which is a planning guide for the Board on meeting dates and actions that need attention. It is an active document that can be modified through the year. It will appear in the Management packet every month.

2. Update the Terms of Reference

Management provided the Board with the Terms of Reference for the Enforcement Committee with suggested modifications.

3. Action Item List

Management Provided the Board with an Action Item List on items that have been approved or requested by the Board and the status or action taken. This list will be regularly updated for the Board.

4. Legal Counsel

Management provided the Board with information from five (5) legal firms for their review and consideration. The Board can request interviews with these firms in December or January. The current legal counsel was not asked to provide information, but can be asked if the Board agrees.

5. Legal Matters

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The Board needed to convene into Closed Meeting to discuss financial and legal matters and the update on the CCOC case. Tom Brennan noted that under advice from legal counsel, the Board requested that Steven Muse, as plaintiff, not be present during the discussion of the CCOC case in Closed Meeting due to a conflict of interest. Mr. Muse informed the Board that as a member in good standing and elected Director of the Single Family homes, it was his responsibility and duty to not only represent the Single Family residents in this matter, but to receive the same documents and information of every other Director, which he was not. At that point, Mr. Muse suggested that they had two (2) choices; go into Closed Meeting with ALL Directors, or adjourn the meeting. Mr. Muse refused to step out during the CCOC discussion, so the Closed Meeting was not held.

K. ADJOURNMENT

MOTION: (Nicolm Mahabir/Hari Donthi) Adjourn the regular Board of Directors Meeting at 8:55 p.m.

Vote: Motion Passed - Unanimous