

**Corrected as amended on November 7, 2013**

**Fountain Hills Community Association  
Board of Directors Meeting  
October 24, 2013**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, October 24, 2013 at 7:30 p.m.

**Board Members Present:**

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

**Also Present:**

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

**A. CALL TO ORDER**

The October Board of Directors Meeting was called to order by Nicolm Mahabir at 7:35 p.m.

**B. MINUTES**

1. September 5, 2013 Board of Directors Meeting Minutes

**MOTION:** (Tom Brennan/Frank Walsh) Accept the September 5, 2013 Board of Directors Meeting Minutes as amended.

**Vote:** Motion Passed - Unanimous

**C. COMMITTEE REPORTS**

1. Landscape Committee

The monument at Village Fountain Drive needs to be reinstalled before landscaping can be completed in that area.

2. Architectural Review Committee (ARC)

It was reported that four (4) applications had been received and approved.

**D. HOMEOWNERS OPEN FORUM**

1. Tom Brennan, Board Member, inquired if a schedule could be placed on the website with the dates the landscaper will be in the community. Management reported that the landscaper comes on a seven to ten (7-10) day schedule, often dependent on weather, which makes it difficult to set dates in advance. The landscapers cannot begin work before 7:00 a.m. due to the noise ordinance for the County.

## **E. MANAGEMENT REPORT**

### **1. Pergola Repair**

Management provided the Board with a proposal from Gardener's General Contractor the repair and maintenance of the pergola located across from 13336 Tivoli Fountain Court. The proposal is for power washing to remove dirt and algae and sealing with cedar-tinted ready seal. The proposal also includes the trimming of vegetation from the posts, but the landscaper will do this work. The total amount of the proposal is \$900.00 less the amount of the trimming of the vegetation.

**MOTION:** (Nicolm Mahabir/Siu Poon) Approve the proposal for the repair of the pergola, minus the trimming of the plants, across from 13336 Tivoli Fountain Court at a cost not to exceed \$900.00.

**Vote:** Motion Passed - 4 ayes/0 nays/1 abstention (Walsh)

### **2. Pit Bull Policy**

Management reported that there is no requirement for the number of signs in the community concerning the pit bulls, as long as the community is notified. The policy will be posted on the website and postcards will be sent to homeowners informing them that the policy has been instated and that the details are on the website. New homeowners should receive a copy of the policy in their resale packet. The community is not liable for visitors who may bring their pit bulls into the community.

The Board discussed the option of putting signs on existing posts at the dog stations and entering the community.

**MOTION:** (Nicolm Mahabir/Harry Matchett) Accept the Pit Bull Policy as written for Fountain Hills Community Association and include signs at each pet waste station and possible other sites, with wording to be determined.

**Vote:** Motion Passed - Unanimous

### **3. Storm Water Management**

Management provided the Board with a copy of an inspection report from the Montgomery County Department of Environmental Protection concerning maintenance of the storm water management ponds throughout the community. There are currently nineteen (19) locations in the community. All work required by the County at this time is above ground and must be performed by a company certified by the County to perform this type of work. The County does the structural work. The last maintenance was completed in 2010 with a cost of \$20,264.00. Management provided the Board with a proposal from AW Landscapes for \$23,575.00 and a proposal from John's Labor Group for \$26,700.00.

**MOTION:** (Tom Brennan/Nicolm Mahabir) Accept the storm water management proposal from AW Landscapes not to exceed \$23,575.00.

The Board inquired if maintenance of the storm water management ponds could be added to the regular maintenance contract with Dunlevy, so the cost is on an on-going basis versus a large lump sum. Management will look into this matter.

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**Vote:** Motion Passed - Unanimous

4. Towns of Chestnut Oaks Shared Maintenance Budget

Management provided the Board with the Towns of Chestnut Oaks (TACO) reserve budget for the shared maintenance of Harmony Woods Lane. There is a zero percent (0%) increase over last year's budget. The budgeted cost is \$3,872.82.

Tom Brennan inquired if TACO can notify the HOA when snow clearing services are used for Harmony Woods Lane. Management will look into this matter.

**F. CLOSED MEETING**

**MOTION:** (Nicolm Mahabir/Tom Brennan) Move into Closed Meeting at 8:00 p.m.

**Vote:** Motion Passed - Unanimous

**MOTION:** (Siu Poon/Tom Brennan) Adjourn the Closed Meeting into the regular Board of Directors Meeting at 8:50 p.m.

**Vote:** Motion Passed - Unanimous

**G. RESULTS OF THE CLOSED MEETING**

The Board reviewed the September 5, 2013 Closed Meeting Minutes, took action on a collection matter and requests for waivers, and discussed the CCOC case.

**H. REGULAR BOARD MEETING (reconvened)**

1. September 5, 2013 Closed Meeting Minutes

The Board reviewed the September 5, 2013 Closed Meeting Minutes in Closed Session.

**MOTION:** (Tom Brennan/Harry Matchett) Accept the Closed Meeting Minutes of September 5, 2013 as edited.

**Vote:** Motion Passed - Unanimous

2. Board Appreciation Dinner

The Board will be holding its Board Appreciation dinner for Board Members and volunteers in the community on November 1, 2013.

3. 13243 Lake Geneva Way

It was noted that the homeowner at 13243 Lake Geneva Way requested a waiver of fines of \$50.00 for the repeated violation of storing a recycling bin on the porch. The homeowner claims that the notice was only received last month, but the issue has been going on longer than that.

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**MOTION:** (Tom Brennan/Nicolm Mahabir) Deny the request for waiver of the \$50.00 in fines for 13243 Lake Geneva Way.

**Vote:** Motion Passed - Unanimous

4. 2013 Annual Meeting

The Fountain Hills Community Association Annual Meeting will be held on November 7, 2013. Management noted that at least 87 proxies are required to obtain a quorum. Board Members Frank Walsh, Tom Brennan, Harry Matchett and Niclom Mahabir are up for re-election. There are currently three (3) vacant positions.

5. Agenda Items

The Board requested that any other items that the new Board will need to continue to work on be placed on the agenda, such as landscaping and items on the operating plan. Management will work on providing the Board with an ongoing operating plan through the year.

6. Winterization of the Fountains

Management reported that all the fountains will be turned off by October 31st.

7. Winterization of the Pool

Management reported that RSV Pools has winterized the pool and that this work was inspected by Management.

**I. ADJOURNMENT**

**MOTION:** (Nicolm Mahabir/Siu Poon) Adjourn the regular board of Directors Meeting at 9:05 p.m.

**Vote:** Motion Passed - Unanimous