

**Corrected as approved on October 24, 2013**

**Fountain Hills Community Association  
Board of Directors Meeting  
September 5, 2013**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Upcounty Regional Services Center on Thursday, September 5, 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  
Phil Suter, Director

**Also Present:**

Stephon Collins, Community Manager  
Ruth Ann Allen, Recording Secretary  
Helen Truppo, Vanguard Management

**Contractor Representative Present:**

Vlade Jankovic, RSV Pools, Inc.

**Homeowners Present:**

Jackie Arnold, 13325 Tivoli Fountain Court  
Steven Muse, 18804 Porterfield Way  
Vernard McBeth, 13108 Lake Geneva Way

**A. CALL TO ORDER**

The Board of Directors Meeting was called to order by Nicolm Mahabir at 7:33 p.m.

**B. MINUTES**

1. August 1, 2013 Board of Directors Meeting Minutes

**MOTION:** (Tom Brennan/Frank Walsh) Accept the August 1, 2013 Board of Directors Meeting Minutes as amended.

**Vote:** Motion Passed - Unanimous

**C. DIRECTORS & OFFICERS REPORTS**

1. Tom Brennan reported that the Enforcement Committee members inspected the community and presented Vanguard with eighty-five (85) violations, which have been issued to homeowners.

2. Phil Suter inquired if ValleyCrest will be replacing the trees on Rushing Water Way that are under warranty. Management will check with ValleyCrest.

Mr. Suter also inquired about the installation of the entrance sign at the entrance from Clopper Road. Management reported that the installation of the sign was waiting for a proposal for plantings in that area, and Management has just received the proposal from D&A Dunlevy.

#### **D. COMMITTEE REPORTS**

##### **1. Social Committee**

Siu Poon reported that the Fountain Hills Annual Picnic was held on August 31<sup>st</sup> at the pool. There were two hundred ninety-four (294) people in attendance. The amount of money spent on the picnic was \$841.21, which was well within the \$1,200.00 budget. Niclom Mahabir thanked Siu Poon and Harry Matchett for their work in organizing the picnic.

#### **E. RSV POOLS, INC.**

Vlade Jankovic, RSV Pools, noted that he is to meet with Management next week to inspect the pool and pool house. Mr. Jankovic stated that the pool season went well and the pool parties were a success. Mr. Jankovic noted that the fence around the pool should be inspected.

Niclom Mahabir noted that he received several suggestions from life guards on how to make the pool better and would like to meet with RSV Pools and the life guards, before the pool opens next year, to discuss these suggestions.

#### **F. HOMEOWNER OPEN FORUM**

1. Jackie Arnold, 13325 Tivoli Fountain Court, was present to follow up on her request that a dog waste station be installed in her area of the community. The Board stated that no decision had been made on additional pet waste stations. The Board requested that Management check on the map of suggested placements for pet waste stations and the costs for installation and added maintenance.

2. Steven Muse, 18804 Porterfield Way, noted that the landscape company has done a good job on the trails in the community. Mr. Muse noted that Management has a terrible response time for inquiries. Mr. Muse noted that neither the Board nor Management has answered his questions.

Mr. Muse also noted that he had sent an email to the Board and Management stating that the Board President was in violation of the parking rules of the community. The Board and Management reviewed the parking rules and stated that there was no violation. Mr. Muse inquired why two (2) Board members had not been removed from the Board for violations. The Board noted that the Board members had not received any violation notices, as they were not in violation.

Mr. Muse noted that he had received a letter from Management that stated that the Pooch in the Pool was denied, as the Board did not want to set the precedent of people holding events for charity in the community. The Board noted that the reason for not

Fountain Hills Community Association  
Board of Directors Meeting  
September 5, 2013

having the Pooch in the Pool was for setting a precedent for people holding events.

Mr. Muse stated that the dates and times of committee meetings are not posted, which prevents residents of the community from attending.

3. Vernard McBeth, 13108 Lake Geneva Way, noted that the agenda does not include the date of the Annual Meeting, which is November 7, 2013. Mr. McBeth also stated that he has not received the answers to his questions. The Board replied that the questions had been answered and will not be revisited. Mr. McBeth noted that the Board has the obligation to answer questions from homeowners. Mr. McBeth also stated that the Board finds loopholes in the rules so they are not wrong.

## **G. MANAGEMENT REPORT**

### **1. Vacant Liaison Positions**

Management noted that he had received notification from Phil Suter that he will be no longer be Board liaison to the Architectural Review Committee (ARC), Web/Newsletter Committee and the Pool Committee; which leaves a Board liaison position open for these committees. Niclom Mahabir offered to be the Board liaison for the ARC and Web/Newsletter Committee. As there is currently not an active Pool Committee, the decision on the Board Liaison will wait until next spring.

**MOTION:** (Phil Suter/Tom Brennan) Appoint Niclom Mahabir as liaison to the ARC and the Web/Newsletter Committee.

**Vote:** Motion Passed - Unanimous

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

Management stated that the Pit Bull Policy has been sent to legal counsel for review. Management has not received a response from legal counsel.

### **3. Storm Water Management Pond Maintenance**

Management reported that all work on the storm water ponds required by the County is above ground, but must be performed by a company certified by the county to perform this type of work. This work would be paid for using the Association's reserve funds. Management stated that the County Environmental Protection Agency (EPA) met with John's Labor Group to identify the required work. Any action has been delayed as the County EPA is waiting for further guidance of changes coming from the State level.

### **4. Landscape Proposal**

Management provided the Board with a landscape proposal from D & A Dunlevy for plantings at the Village Fountain Drive entrance for a total of \$4,296.00, and at the hillside adjacent to Great Seneca Highway for a total of \$3,675.00. The addition of

Fountain Hills Community Association  
Board of Directors Meeting  
September 5, 2013

this area. Dunlevy suggested that the Association look into installation of a fence in this area. The Board requested that Management provide the Board with proposal(s) for installation of a fence in that area.

**MOTION:** (Phil Suter/Tom Brennan) Approve the proposal from D & A Dunlevy for plantings at the entrance on Village Fountain Drive at a cost of \$4,296.00.

**Vote:** Motion Passed - Unanimous

The Board noted that the entrance sign should be re-installed before the plantings are installed.

5. 18711 Harmony Woods Lane

Management received correspondence concerning the need to write off as bad debt the post-bankruptcy, pre-foreclose amount of \$381.60, for 18711 Harmony Woods Lane. This amount is uncollectible as the homeowner filed for Chapter 7 bankruptcy relief in June 2012 and was granted a discharge by the US Bankruptcy court. The mortgage company foreclosed on the property in January 2013.

**MOTION:** (Siu Poon/Tom Brennan) Write off the amount of \$381.60 as bad debt for 18711 Harmony Woods Lane.

**Vote:** Motion Passed - 3 ayes/1 nay (Matchett)/2 abstentions (Suter/Walsh)

**H. CLOSED MEETING**

**MOTION:** (Tom Brennan/Phil Suter) Move into Closed Meeting at 8:40 p.m.

**Vote:** Motion Passed - Unanimous

**MOTION:** (Nicolm Mahabir/Phil Suter) Adjourn the Closed Meeting and reconvene the regular Board of Directors Meeting at 9:18 p.m.

**Vote:** Motion Passed

**I. RESULTS OF THE CLOSED MEETING**

The Board took action on a delinquent account, reviewed the August 1, 2013 Closed Meeting Minutes, discussed the CCOC case, discussed issues related to the upcoming Annual Meeting, and discussed procedures for managing the Homeowner Open Forum portion of the Board of Directors meetings.

**J. REGULAR BOARD OF DIRECTORS MEETING (Reconvened)**

1. August 1, 2013 Closed Meeting Minutes

**MOTION:** (Tom Brennan/Phil Suter) Accept the August 1, 2013 Closed Meeting Minutes as amended.

**Vote:** Motion Passed - Unanimous

Fountain Hills Community Association  
Board of Directors Meeting  
September 5, 2013

Tom Brennan reported that, during the recent inspection of the community by the Enforcement Committee, he noticed that there are differing opinions among the committee members as to what constitutes a violation. Mr. Brennan inquired if Vanguard could do a thorough inspection of the entire community, focusing on items such as home aesthetics, paint, garage doors, etc., to provide consistency for the Enforcement Committee. Management stated that Craig Wilson has requested that the Community Managers meet with the Vanguard inspectors and review sections of the community. This will provide a baseline for what is expected in the whole community when the inspection occurs.

3. Landscaping at Village Fountain Drive

The monument need to be reinstalled before the landscaping can be completed at the community entrance of Village Fountain Drive.

**K. ADJOURNMENT**

**MOTION:** (Siu Poon/Phil Suter) Adjourn the regular Board of Directors Meeting at 9:25 p.m.

**Vote:** Motion Passed - Unanimous