

Corrected as approved on June 1, 2017

**Fountain Hills Community Association
Board of Directors Meeting
May 4, 2017**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Germantown Upcounty Regional Services Center on Thursday, May 4, 2017 at 7:30 p.m.

Board Members Present:

Harry Matchett, President
Sherry Lee, Vice President
Hari Donti, Treasurer
Frank Walsh, Secretary
Robert Love, Director
Jo Ann Windsor, Director

Also Present:

Julie Hoffman, Community Manager
Ruth Ann Allen, Recording Secretary

A. CALL TO ORDER

The May Board of Directors Meeting was called to order by Harry Matchett at 7:30 p.m.

B. HOMEOWNER FORUM

1. Drewcellia Kellar, 13239 Autumn Mist Circle, noted that the grass cutting in the community is unacceptable; the landscapers are using weed whackers on the grass in her area and sometimes the area is missed altogether. Ms. Kellar also noted that the landscaper leaves grass cuttings on the sidewalks, porches and steps.
Ms. Kellar also requested that the trash can be removed from the tot lot near Autumn Mist Circle, as residents use it for dog waste and it doesn't seem appropriate to have it at the tot lot as the smell becomes nasty.
2. Hari Donti, Board Member, seconded Ms. Kellar's concerns regarding the grass cutting.
Mr. Donti also noted that the Board meetings need to become more efficient, as there is too much discussion and not all items on the agenda get covered.
3. Jo Ann Windsor, Board member, noted that the outside support for the entrance sign at Great Seneca Highway and Dawson Farm is falling apart.

C. MEETING WITH RSV POOLS

R. Scott Vincent, President of RSV Pools and Vlade Jankovic, Pool Supervisor, were present to discuss proposals submitted by RSV Pools for work on the pools.
Mr. Vincent provided the Board with the 2016 County Inspection Report that describes repairs that must be completed before the opening of the 2017 pool season.

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Mr. Vincent noted that the tension on the perimeter fence needs to be addressed and requested that the Association engage a fence company to inspect and repair the fence. The Inspection Report also notes that the chain link fence mesh does not meet COMAR standards of a 2 $\frac{1}{4}$ " gap maximum. Mr. Vincent stated that he checked the rules and could not find a statement that the mesh must be less than 2 $\frac{1}{4}$ "; thus, the fence should pass inspection.

Mr. Vincent noted that the white coat needs to be replaced on all three (3) pools. RSV Pools has patched the white coat for the 2017. The surface will be rough, but it should pass inspection. RSV Pools suggested that the white coat be replaced in the fall; at that time RSV Pools will give a 7% discount. Mr. Vincent noted that the inspectors are more likely to pass the condition of the white coat if a contract is in place for the work to be completed after the pool season. The repairs of the inner depth markings required at all pools are almost completed.

Mr. Vincent also noted that a plumber should be hired to repair the plumbing issues identified in the bath house; he also noted that the main valve to the pool house is completely cracked and needs to be replaced.

Mr. Vincent provided a proposal for replacement of the main pool pump in the amount of \$7,500.00. He noted that the new pump is a better design and more efficient. The old pump could be repaired at a cost of approximately \$3,000.00 however there is no guarantee that the repair would be completed by the scheduled opening date of the pool. Montgomery County also requires an alternate hair and lint strainer, at the cost of an additional \$221.72.

It was noted that there are five (5) pumps that service the pools at Fountain Hills. There is a 15 HP pump for the main pool, two (2) 5 HP pumps for the jets and bubblers, a 1.5 HP pump for the baby pool, and a 1.5 HP pump for the beach access pool. The pump for the baby pool can be repaired. The Board discussed whether to replace or repair the beach access pump; the cost to replace the 1.5 HP pump for the beach access pool is approximately \$1,500.00. RSV Pools will inspect the two 5 HP pumps to determine if they can be repaired or should be replaced.

Mr. Vincent also provided a proposal for replacement of the life guard stand at the deep end of the pool in the amount of \$2,950.00 noting that this work must be completed before the pool is opened.

Mr. Vincent also provided proposals for changing the current sand filter system to a cartridge filter system. The prices for installing the cartridge filter systems are as follows: \$11,360.00 for the main pool, \$2,612.00 for the beach pool, and \$2,050.00 for the wading pool. Mr. Vincent noted that although there is no need to backwash, the cartridges must be cleaned manually. Mr. Vincent noted that Montgomery County or the State is considering a law that no pool water can enter the stormwater drains.

D. OFFICER REPORTS

1. Special Meeting Report by Harry Matchett

It is of paramount importance to be transparent when conducting the Association's affairs. In the spirit of transparency, I want to record into the minutes a Special Meeting of the Board of Directors.

On Friday, April 14, 2017, the Fountain Hills community manager called a Special Meeting of the Board of Directors to meet at the pool with RSV Pool representatives to discuss three inoperable pool pumps. The meeting was to take place on Tuesday, April 18, 2017, at 7:30 PM.

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Prior to the Special Meeting on Tuesday, April 18, 2017, the Association's Secretary discovered the Special Meeting, if held, would not be in accordance with the Association's governing documents and/or the Maryland Homeowners Association Act. I immediately notified the Board of Directors and community manager that the purported Special Meeting was cancelled.

Subsequently, there were email exchanges indicating a gathering of the community manager, a quorum of Board of Directors and RSV Pool representatives would take place at the pool house on Monday, April 24, 2017, at 7:30 PM. Although it is unclear if the gathering under the current facts and circumstances would have violated the Association's governing documents and/or the Maryland Homeowners Association Act, in my judgment the prudent action in these circumstances was to communicate to the Board of Directors and community manager that any such gathering would be done against my advisement. The Association's Secretary communicated the same message.

In accordance with Section 11B-111 of the Maryland Homeowners Association Act, a Special Meeting was made for the purpose of discussing the three inoperable pool pumps. On Monday, April 24, 2017, a notification of the date, time, location and purpose of the Special Meeting was posted on the home page of the Fountain Hills Community Association website. The Special Meeting notification remained on the home page of the website for several days after the Special Meeting had taken place.

On Friday, April 28, 2017, a Special Meeting of the Fountain Hills Community Association Board of Directors was held at the Community Pool House located at 18700 Club Plaza Drive, Germantown, Maryland. The meeting was called at approximately 7:40 PM.

Board Members Present:

Harry Matchett
Sherry Lee
Frank Walsh
Hari Donthi
Jo Ann Windsor

There was one homeowner, David Holtzman, in attendance of the special meeting. Mr. Holtzman informed the board that on April 12, 2017 the pool company was draining the pool water onto the street. The pool water ran down the street onto the condominium property. Mr. Holtzman notified management of the problem and the matter was resolved shortly thereafter.

There were no motions made during the Special Meeting. There were no votes taken during the Special Meeting. The Special Meeting was adjourned at approximately 8:30 PM.

E. UNFINISHED BUSINESS

1. Pool Repairs

The Board reviewed and discussed the proposals for pool repairs submitted by RSV Pools.

MOTION: (Robert Love) Approve RSV Pools to fix the problem with the pool equipment to include the replacement of the main pool pump, as proposed, with the alternative strainer, the installation of a lifeguard stand, with Management to handle the cost of the freight, install new cartridge filter systems at the main pool, beach pool and baby pool, and recommendations on whether to repair or replace the other pumps, to come from reserves, and have the pool open on time. The total cost for all the work is \$28,443.72.

Board members requested that the pool proposals be voted on separately.

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Mr. Love withdrew his motion.

MOTION: (Robert Love/Hari Donthi) Authorize RSV Pools to replace the main pool pump in the amount of \$7,500.00 plus an additional \$221.72 for the hair and lint strainer to come from reserves.

Vote: Motion Passed – 4 ayes/2 nays (Matchett/Walsh)/0 abstentions

MOTION: (Robert Love/Hari Donthi) Approve the proposal from RSV Pools for the installation of the life guard stand at the deep end of the pool in the amount of \$2,950.00 to come from reserves, and have Management check on the cost of the freight.

Vote: Motion Failed – 1 aye (Love)/4 nays/1 abstention (Windsor)

MOTION: (Sherry Lee/Robert Love) Approve the plumbing repairs for the baby pool in the amount of \$250.00 to come from the operating account and replace the 1.5HP beach pool pump and motor for no more than \$1,500.00 to come from reserves.

Vote: Motion Passed – 4 ayes/2 nays (Matchett/Walsh)/ 0 abstentions

MOTION: (Robert Love) Approve the proposals from RSV Pools to install a new main pool cartridge system in the amount of \$11,360.00

Frank Walsh suggested that the Board solicit other proposals before considering the cartridge filter system.

The motion died as there was no second

MOTION: (Robert Love) Approve the proposal from RSV Pools for installation of the cartridge filter system at the beach pool in the amount of \$2,612.00.

The motion died as there was no second

MOTION: (Robert) Approve the proposal from RSV Pool for the wading pool filter cartridge system in the amount of \$2,050.00.

The motion died as there was no second.

2. Wood Carpet for Tot Lots

Management provided the Board with proposals for wood carpet for the tot lots in the community.

MOTION: (Hari Donthi /Robert Love) Approve the proposal from Brighton Dam for installation of the wood carpet to the tot lots in the amount of \$26,410.00.

It was noted that the Board should have more discussion before approval of any of the proposals.

Hari Donthi withdrew his motion.

F. ADJOURNMENT

MOTION: (Harry Matchett/Hari Donthi) Adjourn the Board of Directors Meeting at 9:30 p.m.

Vote: Motion Passed – 4 ayes/2 nays (Love/Walsh)/0 abstentions