

Corrected as approved on February 2, 2017

## **Fountain Hills Community Association Board of Directors Meeting January 5, 2017**

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting at the Germantown Government Center on Thursday, January 5, 2017 at 7:30 p.m.

**Board Members Present:**

Tom Brennan, Acting President  
Sherry Lee, Vice President  
Hari Donthi, Treasurer  
Frank Walsh, Secretary  
Harry Matchett, Director  
Robert Love, Director  
Joann Windsor, Director

**Also Present:**

Julie Hoffmann, Community Manager  
Ruth Ann Allen, Recording Secretary

**A. CALL TO ORDER**

The January Board of Directors Meeting was called to order by Tom Brennan at 7:31 p.m.

**B. ACTING PRESIDENT ANNOUNCEMENT**

Tom Brennan, Acting President, noted that his house in Fountain Hills Community Association (FHCA) sold on December 15, 2016 and, as he is no longer a homeowner in the community, he cannot hold the position of President on the Board of Directors. Mr. Brennan has resigned his position as President. Mr. Brennan is eligible to remain on the Board of Directors and is willing to complete his term. The Board will discuss the position of president on the Board of Directors later in the Board Meeting.

**C. AGENDA**

The Board agreed to change the Agenda to meet with Cascade Fountains before the approval of the minutes.

**D. CASCADE FOUNTAINS**

Jim Welch, Cascade Fountains, was present to discuss repair/replacement of the fountains in FHCA. Mr. Welch has met with Management to inspect the fountains in the community. Mr. Welch reported that the five (5) bowl fountain on Fountain Hills Drive and the three (3) bowl fountain on Fountain Club Drive should be replaced. The third fountain on Lake Geneva Way is still in good shape and Mr. Welch suggested that all fountains be covered over the winter to protect them.

Mr. Welch noted that the two (2) fountains in need of replacement have big cracks, weak spots, and crumbling concrete. Mr. Welch noted that these fountains could be replaced with like tiered fountains or replaced with updated nozzle fountains (spray rings) that are more resilient and have a longer life than the concrete tiered fountains. The water sprays can also be lighted with colored lights.

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Robert Love suggested that all the fountains be replaced at the same time, keeping the tiered design. The tiered fountains design is part of the design on the entrance signs and the pineapple on the top of the fountains is a symbol of welcome. The Board was in agreement to keep the tiered fountains.

The cost to replace the five (5) tiered fountain is \$39,450.00. If the pump and filtration system are in good condition, \$6,000.00 can be deducted from the price. The cost to replace the three (3) tiered fountain is \$33,500.00; in this case also, \$6,000.00 can be deducted from the price if the pump and filtration systems are in good condition. Mr. Welch also noted that the fountains should be protected over the winter with covers and that the concrete could be sealed.

The Board requested that Mr. Welch provide photos for options of tiered fountains. Mr. Welch did note that it is harder to find five (5) tier fountains.

It was suggested that the fountains be repaired for the coming year so they are functional and then consider replacing them after the next season.

**E. MINUTES**

1. December 1, 2016 Board of Directors Meeting Minutes

**MOTION:** (Tom Brennan/Hari Donthi) Approve the December 1, 2016 Board of Directors Meeting Minutes as edited by the Board of Directors.

**Vote:** Motion Passed – Unanimous

**F. CONTRACT REVIEW/APPROVAL**

1. Landscape Maintenance Contract

The Board discussed looking at options for lowering the costs for Brighton Dam Landscaping, especially regarding annuals. Management noted that a representative from Brighton Dam will come to the February Board Meeting, and the Board can discuss options at that time. Management noted that the contract with Brighton Dam has been approved for landscaping and snow removal for FHCA.

2. Fountain Contract

Management provided the Board with two (2) proposals for fountain maintenance. The fountain proposal from Community Pool Service is in the amount of \$4,800.00 for weekly maintenance from May 15<sup>th</sup> through October 31<sup>st</sup>. The proposal from Cascade Fountains is in the amount of \$4,400.00 for weekly service from April 1<sup>st</sup> through October 31<sup>st</sup>; Cascade fountain also provided the option of fountain cleaning two (2) times per week for \$6,900.00. The Board agreed that the fountain maintenance should just be one (1) visit per week. Management noted that other contractors were requested to provide proposals for fountain maintenance, but none were submitted. The Board requested that Management provide certifications, licenses, and references for Cascade Fountains.

3. Pool Management Contract

Management provided the Board with pool management proposals from Continental Pools, Community Pool Service and High Sierra Pools.

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Pool Contractor	Contract Price	Man Hours	1 <sup>st</sup> Payment
Continental Pools	\$64,300.00	254 hr/wk/full time 190 hr/wk part time	March 1st
Community Pool Service	\$63,700.00	260 hr/wk	May 1st
High Sierra Pools	\$58,300.00	263 hr/wk	April 1st

The Board noted that Continental Pools has additional charges for chemicals. It was also noted that Continental Pools puts ages on the pool passes, which the Board does not want. It was noted that the proposal indicates that the bathrooms will be cleaned on an as-needed basis.

Management stated that High Sierra Pools is dependable and very responsive.

Management also noted that High Sierra places a chart in the bathrooms for daily cleaning items that must be initialed when completed.

It was noted that the contract with Community Pools is the same as last year. The Board noted that they were not impressed with the cleaning of the bathrooms. Frank Walsh inquired if Community Pools had credited the hours to the Association for the times when there were fewer lifeguards than contracted or when the pool was closed. Management noted that this has not been determined.

It was noted that the bathrooms quickly become unsightly, due to lack of air flow. It was suggested that an industrial cleaning of the bathrooms be done before and after the pool season.

The Board also requested that the contract indicate that the lifeguards are required to speak English. Management also noted that the pool contractors should be able to work with the current pool pass system.

**MOTION:** (Robert Love/Tom Brennan) Recommend approving the 2017 Pool Contract with Continental Pools modifying the contract to include English Speaking life guards, invoices for extra supplies, daily bathroom cleaning and no ages placed on pool passes.

It was noted that the Continental Pool contract has a greater number of man hours versus the other two (2) contractors.

**Vote:** Motion Failed – 1 aye (Love), 6 nays, 0 abstentions

**MOTION:** (Hari Donthi/Tom Brennan) Accept High Sierra Pools for pool management for 2017.

**Vote:** Motion Failed – 2 ayes (Brennan, Donthi)/4 nays/1 abstention (Windsor)

Management provided the Board with a proposal from Continental Pools for pool repair/maintenance specifications for a total of \$10,528.75

**MOTION:** (Robert Love/Tom Brennan) Hire Continental Pool for the repairs to the pools in the amount of \$10,528.75, as quoted.

It was noted that all pool contractors will do a pre-inspection of the pool for repairs/maintenance issues. Frank Walsh suggested that there should be more than one (1) proposal for repairs to the pool.

**Vote:** Motion Failed – 1 aye (Love)/4 nays/2 abstentions (Windsor, Brennan)

It was noted that the budgeted amount for the pool maintenance for 2017 is \$60,700.00.

**MOTION:** (Tom Brennan/Robert Love) Accept the pool management contract with Continental Pools if they can meet the pool management budget of \$60,700.00 or less and absorb the cost of chemicals along with daily cleaning of the bathrooms.

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**Amend:** (Tom Brennan/Robert Love) Move the dates for pool management from April 1, 2017 to September 30, 2017 to modify upfront billing.

**Vote:** Motion Passed – 4 ayes/3 nays (Lee, Walsh, Matchett)/0 abstentions

**MOTION:** (Sherry Lee/Tom Brennan) Request English speaking life guards in the pool maintenance contract.

**Amend:** (Frank Walsh/Joann Windsor) Remove ages from pool passes.

**Vote:** Motion Passed – 6 ayes/0 nays/1 abstention (Matchett)

The Board also requested that Management solicit a bid for pool management to RSV Pools, if Continental Pools does not accept the proposed contract revisions.

## **G. FINANCIAL REPORT**

Management reported that during the month of November 2016, FHCA had an income of \$64,744.34 and operating expenses of \$50,587.93 which left a net income of \$14,156.41.

Frank Walsh inquired on the status of the audit. Management noted that the audit is in progress and should be completed soon.

## **H. COMMITTEE REPORTS**

### **1. Enforcement Committee**

Sherry Lee requested that residents on Harmony Woods Lane be required to place trash in sealed trash cans instead of trash bags, as there is a serious rat and wildlife problem in that area. Also, residents put trash in the street and on the islands. It was suggested that a letter be sent to Chestnut Oakes notifying them of this issue.

Ms. Lee noted that last year residents would shovel snow into the middle of the streets which inhibited snow plows from moving through the streets. Management noted that this issue has been addressed in the snow policy and a reminder will be placed on the website.

### **2. Architectural Control Committee**

Robert Love reported that four (4) Architectural Change Applications had been approved and there are no pending applications.

## **I. ACTION ITEMS**

### **1. Tot Lot on Lake Geneva Way**

Management noted that Management, Tom Brennan, and Sherry Lee met with Brighton Dam Landscaping at the tot lot on Lake Geneva Way. It was noted that the tot lot is in need of wood chips. However, wood chips that are placed on this tot lot tend to get washed away when it rains. Brighton Dam submitted a proposal to install a “water break” to repair the drainage issue and add new wood chips in the amount for \$6,250.00. Brighton Dam also noted that the slide in the tot lot is not safe, as the bottom of the slide is more than thirty inches (30”) off the ground and there is insufficient distance between the end of the slide and the fence to safely use the slide. Brighton Dam recommended removing the slide and temporarily securing the playset where the slide was attached in the amount of \$725.00.

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The Board requested that Management have a playground specialist evaluate the play equipment before deciding on moving forward.

It was also suggested that the Board consider a synthetic product instead of wood chips for the tot lot.

The Board inquired if Dunlevy had provided a proposal for the tot lots. Management will check if a proposal was submitted by Dunlevy.

**2. Tree Work**

Management provided the Board with a proposal from Brighton Dam for removal of two (2) common area trees at 13231 Lake Geneva Way and 19009 Mediterranean Way and trimming of holly bushes to the side of 13220 Lake Geneva Way and working on a bare area by Dawson Farm Road for a total of \$3,975.00. It was noted that not all of the work needs to be done immediately. It was also noted that the holly bushes by 13220 Lake Geneva Way are trimmed by Harry Matchett. The Board will review the proposal and discuss in February.

**3. Snow Removal**

Management reported that the stakes designating the fire hydrants have been installed by Brighton Dam Landscaping. Management noted that the plan for snow removal in the community has been discussed with Brighton Dam. Management noted that Sherry Lee will be the liaison to Management regarding snow removal and Management will be responsible for contacting Brighton Dam. Going forward, only Management will be able to authorize Brighton Dam to commence snow removal. Brighton Dam can contact Ms. Lee, if necessary.

It was noted that Brighton Dam did some snow plowing during a small snow fall in December. Management informed Brighton Dam that this work was not authorized and FHCA will not be charged.

**J. NEW BUSINESS**

**1. Accident on Liberty Mill Road**

Management reported that an accident occurred on Liberty Mill Road on January 1<sup>st</sup>. There was damage to the lamp post, fence, and entrance monument. Management has been contacted by the insurance company and Management informed the insurance company that the Association will arrange for the repairs. A check will be sent from the insurance company for this work. It was noted that the logo on the monument appears to be reusable and many of the stones are in good shape.

**K. HOMEOWNERS FORUM**

1. Steven Muse, 18804 Porterfield Way, thanked those Board members who were on the Board last year for their service on the Board, for working at recouping delinquent HOA fees through blacking out of parking spaces, stopping the spending spree by Management and balancing the budget. Mr. Muse thanked Sherry Lee for her knowledge of the towing laws. Mr. Muse welcomed new Board members. Mr. Muse thanked Management for putting the agenda on the website before the Board Meeting every month.

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Mr. Muse requested that the Enforcement Committee do more work with the upkeep and curb appeal in the community and to be more diligent on the storage of trash cans.

Mr. Muse also suggested that all Board members take the Board member training as a good reference for being on the Board of Directors.

Mr. Muse also noted that the Health Department can be notified of the rat problem and that the Health Department will cite houses in violation to assist in the eradication of the rats.

**L. NEW BUSINESS**

1. Board President

As Tom Brennan is no longer a homeowner in FHCA, he can no longer hold the office of President. Vice President Sherry Lee can act as President without relinquishing the position of Vice President. Sherry Lee declined being acting president. It was also noted that the Board does not need to replace the president and can assign a Board member as a liaison to Management.

**MOTION:** (Sherry Lee/Tom Brennan) Nominate Harry Matchett as President of the Board of Directors.

**Vote:** Motion Passed – 5 ayes/2 nays (Matchett, Walsh)/0 abstentions

Harry Matchett noted that the matter of where the monies to pay for repairs to the storm water management ponds, through reserve funds or operating funds, needs to be cleared up.

**M. ADJOURNMENT**

**MOTION:** (Sherry Lee/Hari Donti) Adjourn the Board of Directors Meeting at 10:04 p.m.

**The Motion for adjournment was not voted on.**

**N. LEGAL RETAINER**

It was noted by Mr. Brennan that the Board has not been using the services provided by the legal retainer, and the retainer should be eliminated from the legal contract. Also, legal counsel has not been doing some of the items that were covered by the retainer. It was noted by Mr. Walsh that Management should follow up with legal counsel if there is a problem.

**MOTION:** (Tom Brennan/Harry Matchett) Eliminate the retainer for legal counsel.

**Vote:** Motion Passed – 5 ayes/1 nay (Walsh)/1 abstention (Love)

**O. ADJOURNMENT**

**MOTION:** (Sherry Lee/Hari Donti) Adjourn the Board of Directors Meeting at 10:07 p.m.

**Vote:** Motion Passed – 6 ayes/0 nays/1 abstention (Walsh)