

Fountain Hills Community Association
Board of Directors Meeting
July 2, 2020

The Board of Directors of Fountain Hills Community Association held a Board of Directors Meeting via GoToMeeting on Thursday, July 2, 2020 at 7:30 p.m.

Board Members Present:

Harry Matchett, President
Sherry Lee, Vice President
JoAnn Windsor, Treasurer
Frank Walsh, Secretary
Swee Teo, Director
Hari Donthi, Director
Nicolm Mahabir, Director

Also Present:

Delphine Matthews, Community Manager
Jason Fisher, COO of IKO Community Management

A. CALL TO ORDER

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

B. MINUTES

June 4, 2020 Board of Directors Meeting Minutes

MOTION: (Harry Matchett/JoAnn Windsor) Approve the June 4, 2020 Board of Directors meeting minutes as provided by management.

VOTE: Motion Passed – 5 ayes/ 1 nay (Frank Walsh)

MOTION: (Frank Walsh--) To record the Board meeting.

Motion died as there was no second

AMENDED MOTION: (Harry Matchett /JoAnn Windsor) Approve the June 4, 2020 Board of Directors meeting minutes as provided by management with the only change being to add the word “not” after the word “did” in the third line of Nicolm Mahabir’s comments during the homeowner forum.

VOTE: Motion Passed – 5 ayes/ 2 nays (Frank Walsh, Nicolm Mahabir)

C. CCOC COMPLAINT

The Board has been discussing the need for substantial tree work over the past few years. At the March 2020 Board meeting it was suggested the surplus snow removal funds be utilized for tree work. As the fiscal year ended June 30, 2020 progressed, additional surplus funds were identified related to a reduction in bad debts and remaining tree maintenance budget. An arborist walked throughout all 5 sections of the Fountain Hills property. The approved tree project, even when it would have proceeded is weeks away and it will take 3-4 weeks to complete. The project provides significant tree services and improvements to each of the 5 sections of Fountain Hills.

There was a CCOC complaint filed against the Association regarding the Association proceeding with the tree work. Filing a complaint begins a legal process through the CCOC. In response to the complaint, the CCOC issued a Notice of Immediate Stay of Actions which states that a Stay is in place that prevents the Association from taking action whatsoever with regards to the removal, pruning, cutting, trimming, or any other act involving any and all trees within the common areas of the community until the stay is lifted, or the Commission Hearing Panel adjudicates the matter. Essentially this means that the tree work cannot and will not proceed at this time as the Association is legally precluded from doing so. Therefore, no work can or will proceed based upon the CCOC Stay that is in place at this time. The CCOC website provides detailed information on the legal process.

The Board will have to close the open meeting at 8:45 pm in order to go into executive session related to time sensitive issues related to legal matters related to a homeowner collection account and the recently filed CCOC complaint.

D. HOMEOWNERS FORUM

1. Jeff Green of 13431 Rising Sun Lane of the townhome section commented the Board should reconsider closing of the pool. He mentioned the stop sign at the intersection of Rising Sun Lane and Club Plaza has not been reinstalled. He wants the pool money used for improvements such as umbrellas rather than a refund.
2. Grant Izmirlian of 13208 Scarlet Mist Way in the village single family home section wanted to know why certain trees in the village section were being removed as there is no overcrowding of trees in this area. He thought it was wise to not open the pool this year due to COVID-19. He wants to know how much money is spent in each section.
3. Nancy Dofflemyer of 18935 Fountain Hills Drive in the village single family home section wanted to know how the tree project went from tree trimming to demolition of the Association. She also wanted to know why the fountains were not turned on.
4. Thomas Chanel of 18817 Lake Placid Lane in the single family home section was concerned about pool maintenance.

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5. Lesli King of 19003 Noble Oak Drive in the village single family home section was concerned about the tree removal as oppose to trimming. The pool needs to be fixed. The diving boards need to be installed. She sent in two emails and did not receive a response back.
6. Pankaj Shukla of 18923 Porterfield Way in the village single family home section was concerned about the tree removals on the Porterfield Way horseshoe. He would only agree with the pool opening if a waiver is signed.
7. Michael and Sue Poness of 18912 Porterfield Way in the village single family home section are new to the community. They are concerned about healthy trees being removed. They are fine with dead trees being removed. They respect the Board's decision to close the pool but the pool needs to be maintained.
8. Mark Wilson of 19009 Noble Oak Drive in the village single family home section said the stop sign reinstallation should be a priority. There needs to be more transparency with the Board. He is against removing healthy trees on the village fountain green and wants them pruned.

9. Linda Deckard of 19915 Porterfield Way in the village single family home section of the community stated trees are valuable and should not be removed if healthy. She said there are too many trees but they should be trimmed and not removed. She suggested local committees for each section of the community be created who can provide input from those sections of the community as opposed to the Board alone.
10. Khadra Michaelson of 19004 Noble Oak Drive in the village single family home section respects the pool decision but maintenance issues of the pool should be addressed as soon as possible. She proposed to remove the cost to replace a pool pass.
11. David Bozak of 18945 Fountain Hills Drive in the village single family home section is a 19-year owner. He stated any major changes to the community should require contact and notice to the residents.
12. Nikole Aguilera of 18707 Little Star Lane in the townhome section wanted to follow up on the rat issue in her area. She asked if there was going to be a vote on the HOA providing rat extermination services to the affected lots.
13. Nancy Fazio of 18820 Porterfield Way in the village single family home section commented the trees need to be trimmed regularly to maintain and upkeep the community. The HOA should make a separate contract for the fountains from the pool contract.
14. Brian Lancaster of 18901 Fountain Hills Drive in the village single family home section would like to see the pool closure revisited as the vote was based on Phase 1 information and we are now

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in Phase 2. He wants the Board to call on another vote. He stated there is no additional liability for opening the pool during COVID-19.

15. Rick Morris of 18908 Porterfield Way in the village single family home section commented there are posts on the website requesting people to volunteer. People should step up and volunteer for committees. He would like to see the tree study posted on the Fountain Hills website for all to see. He agreed with pool closure.

Harry Matchett thanked Rick Morris for his many years of volunteer service as the Association's webmaster. He said the service was greatly appreciated by the Board.

16. Steven Muse of 18804 Porterfield Way in the village single family home section stated there is a county agency that addresses rat issues. He agreed with the pool closure. He stated it was inappropriate for a Board member to plaster neighborhoods with posters because the Board member did not agree with the Board vote to close the pool this year. Steven was a Board member for over ten years. The HOA is a participation sport. There have been 5 meeting attendees since August 2019. Unfortunately, homeowners only attend Board meetings after a decision and/or action has taken place that they do not agree with. There are advisory and other committees people should volunteer for to assist the Board.
17. Nelton Castro of 18944 Fountain Hills Drive of the village single family home section wanted to know how the Board will respond to the questions and suggestions from homeowners.
18. The following homeowners attended the virtual meeting. However, they did not make comments:

John and Gail Dickenson of 18902 Porterfield Way in the village single family home section.
Chris and Christine Hekimian of 18936 Porterfield Way in the village single family home section.
Shawn and Kylee Britton of 18917 Fountain Hills Drive in the village single family home section.
Jackie Arnold 13325 Tivoli Fountain Court in the townhome section.
Nikola Bura of 18925 Fountain Hills Drive in the village single family home section.
Swati Agrawal and Uday Kotreka of 18919 Porterfield in the village single family home section.
Amy LaFarr of 19025 Noble Oak Drive in the village single family home section.
Cynthia Steele of 18907 Fountain Hills Drive in the village single family home section.
Deanna Romero and Jeff Chai of 18929 Porterfield Way in the village single family home section.
Becky Miller 18819 Lake Placid Lane in the single-family home section.
Gisella and Sergio of 13304 Cub Run Way in the village single family home section.
Alexis Gerard of 18903 Fountain Hills Drive in the village single family home section.
Beth Slotman of 13510 Champions Way in the townhome section.
Dante and Patricia Preciado of 19000 Noble Oak Drive in the village single family home section.
Shail and Linh Tomar of 18909 Fountain Hills Drive in the village single family home section.
Darlene Kerr 18921 Fountain Hills Drive in the village single family home section.

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Brent Walker of 19006 Noble Oak Lane in the village single family home section.

Rebecca Asofsky of 13518 Champions Way in the townhome section.

Jean O'Rourke of 18911 Fountain Hills Drive in the village single family home section.

E. ADJOURNMENT OF THE BOARD TO EXECUTIVE SESSION

MOTION: (Harry Matchett/JoAnn Windsor) Adjourn the Board of Directors Meeting to Executive Session at 8:46 p.m.

VOTE: Motion Passed – 6 ayes/ 1 nay (Frank Walsh)

F. RESULTS OF THE EXECUTIVE SESSION

The Board discussed matters related to the complaint filed against the Association with the CCOC and collection of a delinquent account.

G. ADJOURNMENT OF EXECUTIVE SESSION

MOTION: (Harry Matchett/Hari Donthi) Adjourn the Executive Session at 10:00 p.m.

VOTE: Motion Passed – 6 ayes/ 1 nay (Frank Walsh)