

Fountain Hills Community Association

Board of Directors Meeting

April 1, 2021

The Board of Directors of Fountain Hills Community Association held a Virtual Board of Directors Meeting on Thursday, April 1, 2021 at 7:30 p.m.

Board Members Present:

Jeff Chai, President
Nancy Dofflemyer, Vice President (8:16 PM)
Jeff Green, Treasurer
Grant Izmirlian, Secretary
David Holtzman, Member at Large (7:50 PM)
Nicolm Mahabir, Member at Large
Frank Walsh, Member at Large

Management Present:

Delphine Matthews, Community Manager
Marcy Grove, Recording Secretary

Guest: Kurtis Miller, Water Works

I. CALL TO ORDER

The Board of Directors Meeting was called to order by Jeff Chai at 7:33 p.m. with a quorum of five members present.

II. PREVIOUS MEETING MINUTES

The Board of Directors received draft minutes for the March 4, 2021 meeting. **Jeff Chai made a motion seconded by Jeff Green to approve the draft minutes; Jeff Green presented an amendment to phrasing under the engineering proposal discussion on page four. The motion carried five to zero to zero adopting the amendment.** Frank Walsh requested reviving identifying members' votes by name; after discussion, the Board resolved to maintain the record in this manner.

III. COMMITTEE REPORTS

A. Architectural Control Committee

Six applications were reviewed and approved at the March 17, 2021 meeting.

B. Enforcement Committee

The committee performed new and follow up inspections over the past two weekends; a list comprising over one hundred violations and photos will be supplied to management for communication to owners. The committee noted removal of trash/recycle bins and other improved areas during these inspections. A resident had supplied the idea of a privacy screen for bins, particularly for townhomes experiencing challenges removing the bins out of view to the rear lot due to location. Shrubbery, composite and wood or wood-like materials were discussed for screening bins on the front lots. Jeff Green will liaise with the ACC to discuss the concept and guideline language defining the particular townhomes eligible to install such a structure as well as structure specifications. Jeff Chai requested this topic be added to the May agenda.

C. Landscape Committee

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The committee performed a walk-through on March 20 and provided a list of recommendations to the Board of Directors. The committee will convene Thursday, April 8 to review the Brightview Landscaping contract. David Holtzman inquired whether the committee had reviewed a berm along the asphalt walk path (path maintained by the Condominium) behind 18801 and 18715 Sparkling Water Drive? Lori Summers noted the committee had not visited but would review the space on a future walk and add the topic to the April 8 meeting agenda. Jeff Green noted this area had been identified during the most recent reserve study site visit as needing improvement and harboring an invasive species. David Holtzman also reported the conservation space near this location had been cleared by Condominium volunteers of debris including deceased pets. Community association members volunteered to participate during the next clean-up day.

Planting of annual flowers at the entries was extensively discussed. Species, color variety mixed within the beds and saturation were deemed key to amplifying the visual impact. A timely decision being needed, **Frank Walsh presented a motion to install lantanas with double the quantity of plants at a cost not to exceed \$3,600. Grant Izmirlian seconded the motion. The motion was successful with four affirmative votes, one nay (Nicolm Mahabir) and one abstention (David Holtzman).**

D. Parking Enforcement Committee

The next meeting is scheduled for April 29. David Holtzman inquired whether parking permits had been transferred to management. To date this has not occurred; Delphine Matthews had emailed the request to the committee chair Sherry Lee March 5 but received no response. A formal request for management to receive the permits, records and notes regarding issues and discrepancies will follow.

IV. OLD BUSINESS

A. Fountain Enclosure

With the assessment that underground utility vaults would be unsuitable for the fountain electric panels and backflow preventers due to code and capacity issues, Water Works suggested a secure (locked) weatherproof enclosure with or without the existing fencing; the “Rubbermaid” style shed enclosure would aid in preserving the lifespan of the equipment. A combination of vault and enclosure was not recommended by the contractor; uniform accessibility to the equipment would be preferred. The area could also be left as exists with the current fencing. Shrubbery might be utilized as a screen as well. Kurtis Miller of Water Works joined the meeting to field questions from the Board of Directors.

Grant Izmirlian inquired as to the life of the shed; Kurtis Miller will provide cut sheets but the vinyl material seems durable. Frank Walsh asked whether the shed would fit within the current fence footprint; the sheds have been calculated to fit. If necessary, a slight adjustment might be made to the fences to accommodate the shed. Jeff Green queried the need for a footer for shed installation. Kurtis Miller noted his intent to either excavate and install a gravel base or pour concrete pads, depending upon the shed floors’ durability. Grant Izmirlian expressed preference for concrete pads. Frank Walsh asked whether the shed installation would incur an additional expense. Kurtis Miller noted he would prepare a change order at no cost for this portion of the process.

Grant Izmirlian presented a motion to approve installation of Rubbermaid style shed within the existing fences to house the equipment. Frank Walsh seconded the motion which carried seven to zero.

B. Reserve Study

Delphine Matthews reported that Peter Miller, principal at Miller & Dodson, met with Jeff Green and management on site to review the community. He anticipates delivery of a new reserve study within two weeks at no additional expense to the Association.

V. NEW BUSINESS

A. Proposed Draft Budget 2021-2022

Delphine Matthews had provided the Board with a fresh revision of the proposed draft budget just prior to the meeting. Previously the reserve account interest had been subtracted and used to meet the recommended contribution level, the latest version did not incorporate this practice.

Management noted the draft budget should not exclude the Condominium from bearing a portion of the pet waste station expense as an Association expense but the Board of Directors could elect to allow this if they chose. Regarding the storm water quality tax, Delphine Matthews advised the Board of Directors seek an opinion from legal counsel prior to finalizing this portion of the draft budget.

David Holtzman stated that as pet waste removal should be categorized as trash removal, the Condominium had no obligation to carry this expense under the Bylaws. Pet waste removal should be the pet owners' responsibility, HOA trash removal fees should not be carried by the Condominium. Should the expense be added to the Condominium portion of the budget, their legal counsel would be consulted. Delphine Matthews noted the pet waste removal as an additional service not trash collection in the traditional sense and that the Condominium should not be excluded nor able to selectively opt out of carrying an expense. When previously in place the cost was treated as a shared common expense. The Association's legal counsel could be tasked with providing an opinion.

David Holtzman questioned the current (2020-2021) distribution of \$59,000 in snow removal costs:
Association - \$49,000
Townhomes - \$10,000

Village Homes - \$0? Delphine Matthews agreed this should be spread among the three subsections and will re-examine how this is applied.

David Holtzman queried why only \$100 was budgeted for Townhome parking lot maintenance? Should the planned paving and striping not be funded by increasing the operating expense? Delphine Matthews observed that once the reserve-funded project was completed, nominal maintenance should be necessary over this budget year. David Holtzman recommended Miller & Dodson weigh in on whether the striping should be a maintenance expense. Delphine Matthews will clarify this information.

David Holtzman observed that for FY2020-2021 the Association incurred \$20,000 in storm water expenses but budgeted only \$14,000 for FY 2021-2022. Delphine Matthews made no change to the figure in the proposed draft budget and would require a legal opinion to support a change.

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David Holtzman asked whether there should be an increase in the Village homes budget to cover the anticipated expense of engineering and consulting fees for the drainage study. Delphine Matthews noted the 10% cap in increases prevented this from being enacted and recommends incremental increases over the next years to build funding or replenish reserves should an emergency loan be required. Jeff Green noted the new reserve study would also be referenced to develop appropriate updates to increases.

Jeff Green inquired about the new treatment of reserve interest; Delphine Matthews replied the interest would be reported in the monthly financial report and accrue within the reserve funds. Expensing significant reserve funds over this year means interest earnings should not be relied upon to cover reserve contributions.

Jeff Green made a motion to incorporate the cost of pet waste stations and service into the single family, townhome and Village homes budgets; Frank Walsh seconded the motion. Jeff Chai called the vote which passed with five ayes, one nay (Nicolm Mahabir) and one abstention (Nancy Dofflemyer).

David Holtzman made a motion to approved the proposed draft budget with the modifications of pet waste serve as trash service with the corresponding assessment adjustments and amending the title of the document from "Approved" to "Draft", to be circulated to the owners by mail for review and commentary. Grant Izmirlian seconded the motion which carried six ayes to one nay (Frank Walsh), no abstentions.

VI. HOMEOWNER FORUM

Michael Poness requested an update regarding the pool repairs and season. Delphine Matthews reported repairs would be completed in time to open for the 2021 season, depending upon Montgomery County's restrictions and the decision of the Board of Directors. The Board of Directors pursued discussion of timing, administrative and operational needs to prepare for opening the pool.

David Holtzman made a motion to establish a pool pass replacement cost of \$8 for the 2021 season. Jeff Chai and Jeff Green seconded the motion which was adopted seven to zero.

David Holtzman presented a motion that management prepare and send the 2021 pool pass application to residents, with opening the pool subject to Montgomery County DHHS actions and requirements and in compliance with the Association's 2019 pool rules. Jeff Chai seconded the motion. The Board of Directors requested to review the draft prior to dissemination.

Richard Morris requested management provide the November 2020 meeting minutes. He noted the custom, developer-installed street signs in the single-family homes are aging and not of commercial reflective quality. He advocated the Board of Directors approach the Montgomery County DOT for replacements. David Holtzman requested a list of the pertinent signs so specifics could be submitted to County Council member Craig Rice to endorse the community's request.

Frank Walsh asked whether the Association should have the recording secretary maintain detailed closed/executive session minutes as had been done in the past. The Board will consider this issue.

David Holtzman inquired as to the status of the 2019 and 2020 auditors' reports. Delphine Matthews will check on these.

Lori Summers questioned the process of the Landscape Committee's recommendations to the Board of Directors. The process should be that the committee reports sent to the Board become

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agenda items, highlighted by the Chair's attendance at the subsequent Board meeting, for Board action during that meeting if possible.

Nicola Mahabir and David Holtzman departed the meeting at 9:53 p.m. and 9:54 p.m. respectively.

VII. ADJOURNMENT

Jeff Chai moved to adjourn Board of Directors meeting at 9:56 p.m. The motion was seconded by Nancy Dofflemyer and carried five to zero to zero.

Respectfully Submitted,

Marcy Grove