

Fountain Hills Community Association

Board of Directors Meeting

October 3, 2024

The Board of Directors of Fountain Hills Community Association held a Virtual Board of Directors Meeting on Thursday, October 3, 2024 at 7:30 p.m.

Board Members Present:

Patrick Broderick, Director
Jeff Chai, President
Jeff Green, Treasurer
Grant Izmirlian, Secretary
Clay Vaughan, Vice President
Frank Walsh, Director

Management Present:

Laura Etchison, Community Association Manager

Board Members Absent:

Carlos Mata, Director

I. CALL TO ORDER

The Board of Directors Meeting was called to order by Jeff Chai at 7:32 p.m. with a quorum of six Directors present.

II. PREVIOUS MEETING MINUTES

The Board of Directors had received draft minutes of the September 5, 2024 Board of Directors meeting. Clay Vaughan and Jeff Green presented two amendments. **Jeff Chai made a motion to approve the minutes as amended. Grant Izmirlian seconded the motion which carried five to zero with Frank Walsh abstaining.**

III. OFFICER REPORTS

Jeff Green asked why financial reports had not been presented after June; Laura Etchison stated the draft reports were undergoing corrections and she would soon forward the reports.

IV. COMMITTEE REPORTS

Architectural Committee: The Committee reviewed and approved one application.

Landscape Committee: Clay Vaughan reported the Committee has reviewed enhancement proposals from Level Green but found the prices too costly. The Committee awaits Level Green's proposed locations for aeration for 2024. Enhancement proposals will likely be tabled until a 2025 contract has been awarded though necessary tasks will be addressed. Management has obtained landscape maintenance and snow removal proposals from four bidders for review by the Committee, but action may be required tonight by the Board. Management recommended the Directors contingently approve contracts at this meeting. Clay Vaughan noted the proposed undefined surcharges proposed for July 2025 once only electric powered leaf blowers may be used.

Enforcement Committee: Twenty-two vehicles were towed during the month. Commercial vehicle parking is a focus, but the Association has no authority over County streets. Frank Walsh requested a list of towed vehicle locations and the reason. Violation notices were issued and the Committee will be reviewing the open violations for compliance or further action.

Pool Committee: Laura Etchison stated winterization was underway. When Jeff Chair inquired about the white coating project, she noted the proposals would be obtained over the winter for early spring execution.

V. OLD BUSINESS

A. Pool House Renovation Punch List

Laura Etchison had re-inspected and eight soap dispensers are awaited. Hann & Hann continues to resist reversing the guard door. Clay Vaughan expressed concern the guard door should open outward for emergency egress. Jeff Green asked management to check with Montgomery County regarding any code requirements for the door. Frank Walsh stated the pump room door vents were rusting and there was no window as before. He stated Hann & Hann should be held to the contract specifications. Management will communicate a ten-day deadline to Hann & Hann to correct outstanding issues.

B. Harmony Woods Tot Lot Relocation Update

A meeting was held with Daniel Park, Bohler Engineering, regarding the tree removal concern an owner had expressed which may delay or alter the project. After noting the site plan also showed removal of two parking spaces, Jeff Chai and Jeff Green asked Daniel Park if the installation might be relocated to southern end of the median. This change would negate removal of the two trees and two parking spaces. Daniel Park agreed this is possible and new plans will be prepared. Frank Walsh noted pet waste being left on this median.

C. Fountain Updates: Timers, Lighting & Leaks

Laura Etchison has confirmed Fountain Craft repaired the leak around September 10 by sealing electrical conduit and reducing the water level; the Club Plaza water bill over that ninety-day period was \$8,700. Fountain Craft also confirmed timers were installed in the fountains. Power Systems Electric will install the missing lights during winterization. Frank Walsh stated the lights at the Club Plaza fountain are still not working; Clay Vaughan observed the single-family home fountain lights are coming on in the evening. The Landscape Committee would like to meet with Fountain Craft on the next site visit to evaluate planting areas around the fountains and pump houses.

D. New Light Pole

Laura Etchison continues to work with Power Systems Electric to get the new light working.

E. FinCEN Reports Partnership

The federal government has mandated that under the Corporate Transparency Act, all incorporated HOA and condominium Board members are defined as corporation officers and must report their name, date of birth, residential address and provide a copy of an identification document no later than December 31, 2024. Update must be made when changes occur to individuals' details or the Board. Non-compliance may result in a \$500 per day fine to the Association. DH Bader has partnered with FinCEN Reports, a software company whose application was specifically designed with the highest security standards for this reporting process; the firm offers a fee of \$500 if engaged by October 31 or \$700 if engaged after November1. The Association may elect to self-

report on the federal website, have Association counsel report or engage FINCEN's services. **Jeff Chai presented a motion to engage the reporting service at an annual cost of \$500. Clay Vaughan seconded the motion which was approved six to zero with no abstentions.**

E. Trash Collection Service

Laura Etchison reported J & J Trash Service was agreeable to holding the offered price for services for a January 1, 2025 start date if executed in advance. The attorney had noted a special assessment could only be approved by a two-thirds affirmative vote of the membership. The Casella early termination fee might be incorporated in the 2026 budget. Jeff Green stated the fee might be funded from the operating contingency accounts for the single-family and townhomes, respectively \$4,000 and \$16,000 are available at this time. Casella contacted management this week requesting to renegotiate their contract; their proposal is awaited. Action was tabled until the December Board meeting.

VI. NEW BUSINESS

A. Landscaping & Snow Removal Proposals

Management received proposals from Facility Services Company, Great American Landscape. JB Kline and Level Green Landscaping. A comparative matrix of the services and costs were displayed. Jeff Green stated the 2025 budget allocated \$30,000 for the townhome services and \$166,000 for the general fund; he requested any final contract reflect the townhome and general fund differences. Management has clarified this point with the bidders.

The Directors removed Great American Landscape from consideration and focused on the Facility Services Company and JB Kline proposals. Jeff Green said the bidders should have a defined cost for the electric leaf blower change ready for review. Frank Walsh questioned the disparity between the quantity of and mowing frequency of the bio-retention areas; per Clay Vaughan there are twelve areas. Facility Services proposed two mows of four area and JB Kline twenty-six mows. JB Kline will provide bi-weekly reports of tasks completed and observed conditions with photos. Facility Services Company offers other services such as masonry and paving. Snow removal offerings were reviewed; Jeff Chai asked that the contractor provide their strategy for snow removal within the neighborhood to better define potential expenses and to set a not to exceed price, Clay Vaughan asked if a snow removal map had been provided; Laura Etchison did share the map with bidders. **Frank Walsh made a motion to engage Facility Services Company for landscape maintenance and snow removal services at a cost of \$179,300 services upon clarification of the bioretention area quantity and needs. Jeff Chai seconded the motion.** Jeff Chai inquired as to the Landscape Committee's informal opinion. Noting that accepting the lower bidder does not always provide the best service, Clay Vaughan stated a preference to engage JB Kline; Jeff Chai, Patrick Broderick and Grant Izmirlian would follow the Committee's recommendation. The Directors reviewed details to be cleared up with each bidder:

Facility Services: the stormwater tasks and possibly locking the price despite the leaf blower change.
JB Kline: quantify the stormwater tasks.

The vote was called: one (Frank Walsh) to five with no abstentions; the motion failed.

Clay Vaughan presented a motion to engage JB Kline for landscape maintenance services at a cost of \$185,000 and snow removal services on a time and materials basis. Grant Izmirlian seconded the motion which was approved five to one (Frank Walsh) with no abstentions. Jeff Chai and Jeff

Green reiterated the contractor should provide a snow removal strategy prior to winter events occurring.

B. 2024 Annual Meeting

The candidate statement forms are due to management no later than October 14, 2024.

VII. HOMEOWNER FORUM

Rick Morris wished to confirm the Annual Meeting is scheduled for Thursday, November 7 at 7:30 p.m. to be followed by the regular Board of Directors meeting. Jeff Chai confirmed this.

Susan Onuoha requested the status of the violations she had submitted via email and reiterated maintenance concerns on Harmony Woods Lane including dead trees, brown grass, trash cans in view and commercial vehicles parking in the neighborhood. She again volunteered to participate with the Enforcement Committee. Susan Onuoha reported a long-term mouse infestation she had battled previously; Jeff Chai observed that had been a community-wide issue, likely due to may residents presenting bagged trash without cans with a secure lid. Photos of the trees were requested and Jeff Chai stated enforcement is ongoing and takes time to work through the process correctly within legal requirements.

IX. ADJOURNMENT

At 9:44 p.m. Jeff Chai made a motion to adjourn the Board of Directors Meeting to Executive Session. Clay Vaughan seconded the motion and all were in favor.

Respectfully Submitted,

Marcy Grove