



FOUNTAIN PARK HOMEOWNERS ASSOCIATION MEETING MINUTES

DATE	April 12, 2023	TIME	6:30 PM	PRESIDING	Alicia Navia, President
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BOARD MEMBERS		
X Claire Callahan	X Joann Duncan	
X Joelle Coffman	X Alicia Navia	

	ITEM	OWNER
Call to Order	Regular meeting called to order at 6:33 pm. Meeting conducted virtually via Google Meet.	Alicia Navia
New Directors	Introduction and welcome of new board members Joelle Coffman and Joann Duncan	Alicia Navia
HOA Management Announcement	As a result of multiple ongoing issues with Expert HOA since January and their inability to fulfill their contractual obligations, the board was forced to terminate Fountain Park’s contract with Expert for cause. Further, the board approved seeking legal advice from the attorney’s firm (Munger Chadwick and Denker) with whom we signed a letter of agreement at the end of 2022, to facilitate and guide us through the contract termination. Per sections of AZ revised Statutes 1804-33, the board met in emergency executive session twice on March 23 and April 5 to deal with the situation. As required, the minutes of both meetings have been read during today’s executive session meeting. More information will be provided later during the meeting. For now, Fountain Park has new management. We have contracted with Paul Ash HOA Management Company, and Expert has been notified of their termination. My understanding is that the transition has begun.	Alicia Navia

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Approval of Minutes	February 15, 2023 HOA meeting minutes were read by A. Navia and approved without objection.	Alicia Navia
Financial Report	<ul style="list-style-type: none"> • One of the most concerning and serious issues with Expert was their persistent lack of timely financial information as well as not updating accounts and not maintaining them current, which resulted in several invoices being delinquent. In the case of TEP, non-payment resulted in a power shut off at the pool in early March. E-Konomy Pools was days away from suspending service just as the pool was supposed to open for the season. They had not been paid January, Feb or March invoices. I had to hand deliver the payment checks. • Although we were not provided (never were) with a complete financial report for March, I was able to find the Alliance bank statements on the portal. (Should be the most reliable information.) According the bank statement, FP had \$78,563.85 in the operating account on March 31 and \$185,754.67 in the Reserve account. The reserve earned \$55.20 in interest during March. Total assets at the end of March were \$264,318.52. No transfers from Operating to Reserves were made during the 1st quarter, in spite of several requests. • There were 4 payments made to TEP, one of which was for \$1250.67, which is high, but it could be as a result of late fees and penalties and the shut off. • The Century Link bill appears to be for more than one month and the amount may also reflect late fees and penalties. • The water bills were paid. • Landtamers was paid in March, as was E-konomy Pools. • There are 2 payments to SW Gas. They are too high for the period when the pool water heater is in the off position. I suspect there may be late fees and penalties included there as well. Expert did not send us the actual SW gas bills in spite of repeated requests for them. • Through the attorney, we have asked that Expert reimburse FP for all penalties and late fees, among other requested credits. • Larry Recker, CPA was hired in January. To date, we're aware that a tax return has been completed, but have not received notification 	Alicia Navia

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	from Expert or the CPA as to when or if it was filed.	
Committee Reports	<p>Landscaping: report by Claire Callahan appended to the minutes.</p> <p>Motion by C. Callahan: That two desert willow trees be planted in the community park in the fall once temperatures have cooled. Landtamers will install irrigation and plant the trees. Seconded and approved unanimously by show of hands.</p> <p>The recommendation from the Landscape committed for 3 desert hackberry and 4 Bee Brush shrubs to be planted in the park in fall was tabled .The committee was asked to get a quote from Landtamers for the necessary irrigation and then to bring the item back to the board for consideration.</p> <p>Pool: report by Alicia Navia appended to the minutes.</p> <p>The committee recommends the special pool guidelines due to the pandemic be lifted. So moved by A Navia and approved unanimously by show of hands.</p> <p>Motion by A Navia to reinstate pool parties and scheduling. Approved unanimously by show of hands.</p> <p>Security: no liaison assigned at present. No report</p> <p>Hospitality: Joann Duncan reported there were no new homeowners to greet this month.</p> <p>Architectural Control: C. Callahan reports no homeowner requests were received from Expert Management.</p>	As Noted
Committee Reports, continued	<p>Newsletter: Reports due to S. Beheshti by 5pm Sunday, April 16, 2023</p> <p>Compliance: Report by A Navia. Reminder: garage lights must be clear or white not colored.</p> <p>Recreational Amenities: A Navia reported. Design plans will be displayed at the upcoming community 40th anniversary celebration and posted on fountainparkhoa.org soon.</p> <p>40th Anniversary of Fountain Park: Dorothy Boone reported there are additional costs for the celebration. \$200 has already been approved by the board. Up to an additional \$300 is requested.</p> <p>Motion by C. Callahan for an additional \$300 for the 40th Anniversary celebration. Seconded and approved unanimously by show of hands.</p> <p>The board requested Dario Pohl send a community email asking for portable canopies which could be used for the celebration.</p>	
<u>New Business</u>		

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New Property Management	<p>As already explained, the board was left with no other choice than to terminate Expert’s contract for cause. Given the seriousness of the situation, especially the financial side, and repeated difficulties in trying to obtain up to date financial information as well as weekly issues with complaints from homeowners, lack of timely responses from the manager, unpaid bills from vendors and utilities, the board felt that legal advice was necessary and preferred to guide us through the termination. Following their advice, we contacted 8 management companies. Of the ones that responded, Paul Ash Management although more expensive, was recommended by the attorneys and appears to have the best reputation, although we’ve found that it’s very difficult to choose a company based on reviews and whatever other information is out there. There isn’t that much that is reliable (BBB as an example) and it’s very subjective, unfortunately.</p> <p style="text-align: center;">The monthly management fee will be \$2095/month</p> <p>Paul Ash should be ready to send welcome letter to owners by around May 1. Check your inbox.</p> <p>Motion by A. Navia: That the Board approve payment to Munger, Chadwick and Denker per the invoice received for March 17-31, 2023 in the amount of \$5260. Seconded and approved unanimously by show of hands.</p> <p>Motion by A. Navia: That late fees for homeowner dues are suspended until Paul Ash HOA Management has had an opportunity to review accounts and contact homeowners. Seconded and approved unanimously by show of hands.</p>	Alicia Navia
Vacant Director position	<p>Section 4.01 of the bylaws state: “The affairs of the Association shall be conducted by a Board of Directors comprised of five persons who are Owners.”</p> <p>The fifth position is currently open. Anyone interested in serving is asked to contact the Board.</p>	Alicia Navia
Complete Officer Assignments	<p>Alicia Navia, President</p> <p>Claire Callahan, Vice-President</p> <p>Joelle Coffman, Secretary Joann Duncan, Treasurer</p> <p>.</p>	Alicia Navia
<u>Owner Comments</u>	None were submitted.	

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<u>Next Meeting</u>	<p>Tentatively set for Wednesday, May 17, 2023 – pending confirmation with Paul Ash HOA Management.</p> <p>The contract with Paul Ash Management provides that they support bimonthly meetings. Meetings will be via Zoom.</p> <p>Additional meetings, if needed, would be set up by the Board. Discussed whether to get a Google Meet subscription. Board agreed to wait and revisit this issue at the next meeting.</p> <p>.</p>	
<u>Adjournment</u>	The meeting was adjourned at 8:02pm by A. Navia	

Minutes submitted by: Joelle Coffman

Appendices:

Landscape committee report: submitted by Claire Callahan

The Landtamers crew keep our common areas looking good with continued weed removal and what seems to be the constant need to repair irrigation leaks.

We have had two requests to add trees to the park using our new request form that is on the Fountain Park web site. The Committee planning Fountain Park’s 40th anniversary want to add a Desert Willow tree with a commemorative plaque. Linda King also wishes to have a Desert Willow planted along with a plaque in memory of her husband, Thomas. A site has been chosen for the two trees to be in the same area. April, May and June are the driest months in Tucson. In June we often begin to see the dreaded 100 degree days. By waiting until fall the trees will have a better chance of survival with the benefit cooler temps and the Winter rains. I suggested to the committee and to Linda that they wait until Fall to order the trees and have them planted. Both Carol West, representing the 40th anniversary committee, & Linda King agreed. Two members of the landscape committee met earlier this month. Among the topics discussed was the wish to add 3 Desert Hackberry shrubs and 4 Bee Bushes to in the Healthy Soil test area in the park. Additional irrigation will be necessary to accommodate the new plants. Earlier this year the Board budgeted \$300.00 to the Landscape committee to use for additions to the common areas. This also is a project for cooler weather and can be brought up to the board for consideration at that time.

Shelley Mueller has been a valuable member of the landscape committee since moving to Fountain Park. I am happy to announce that she has recently agreed to take over my position as landscape committee chairperson starting in May. However, I will continue to be the liaison to the board.

Pool Committee report: submitted by Alicia Navia

- The remodeling of the restrooms was completed during the last week of March and before the April 1 swim season opening. The restrooms have been freshly painted, toilets and vanities were replaced, there are new hooks and lights in each bathroom and new shower heads and handles in the shower area. In addition, the swings in the playground now all have new vinyl coated chains and are looking so much better. The contractor has been paid, probably out of operating. This was a reserve expense.

- Garage Floor Coatings finally got a break from the weather and was able to complete the repair of both defective sections of the ramada floor during the last week of March.
- ProCare Janitorial services is now providing cleaning services for the restrooms and around the ramada twice a week, on Mondays and Thursdays. They've been doing an excellent job so far, in my opinion.
- The pool committee met on March 21st. As a result of the meeting, the committee agreed to recommend that the COVID guidelines should be lifted, as no longer being necessary. The posted general pool rules, which can also be found on the FP website will remain.
- The committee also recommends that pool party requests and scheduling can resume
- Linda King has volunteered to take care of party requests and scheduling. Thanks Claire for convincing Linda to take this on.
- Two neighbors have volunteered to test the pool water on the days that E-Konomy does not service. Welcome and thank you to Paula Ganson and Shelley Mueller. And special thanks to Carol and Neil West and Carolee Capp for continuing to do testing for another season. We are most grateful.
- A reminder that the pool is for homeowners and their guests. Guest should be accompanied by homeowner when possible. Children under the age of 14 must be accompanied by an adult.