

Fountain Park Homeowners Association
Board Meeting Minutes
Wednesday, December 9, 2020 at 6:30 p.m.
Zoom Virtual Meeting

Present:

Board:

X **Alicia Navia**, President
X **Mina Reeder**, Vice President
X **Melissa Mora-Lovelady**, Secretary
X **John Steffens**, Member

Staff:

X Donna Wood, Managing Associate

Independent Contractor

Joan Groom, Meeting Minutes

OWNERS:

Dario Navia
Sorraiyya Beheshti
Claire Callahan
Karen Plemons
Lauvers

Mahdi Asgari
Judi Dalton
Carol Decker
Ann Ochse
Kara Scott

IV. Call to Order

A quorum being established with three members present, the meeting was called to order at 6:30 p.m. by President Alicia Navia. John Steffens joined the meeting late.

II. Approval of Minutes

A motion was made and seconded (Navia/Lovelady/) to approve the November 11, 2020 Board Meeting minutes as presented. Motion passed unanimously.

III. Financial Report (*Donna Wood*)

See Management Report below.

IV. Reports

A. Landscaping (*Alicia Navia*)

- There was the usual cleaning of the islands and the park.
- A couple of irrigation leaks were repaired.
- An unhealthy non-native tree was removed last week.
- Irrigation schedules have been turned down but not turned off due to lack of rain.

B. Pool (*Alicia Navia*)

- A sign was installed telling how to exit the pool area.
- There are extensive cracks on the deck. Alicia has contacted Imperial Pools since mid-November to come and look. They requested photos, which were sent. They have not shown up when they said they would. Alicia was told there was a new subcontractor who knew what to do and would be out on Monday or Tuesday of current week. This is under warranty so it is their responsibility. They have 5 open cases with the ROC so it's not surprising they are behind.
- Alicia wonders about filing another complaint or taking legal action. Mina and Melissa were in favor of continuing to remind them and contacting the ROC.

C. Security (*John Steffens*)

- Nothing to report.

D. Hospitality (*Kara Scott*)

- In the process of meeting new neighbors.

E. ACC (*Mina Reeder*)

- Lot 155 – installation of front Pony wall – Mina discussed this submittal and believes more detail and information needs to be provided before an informed decision can be made. Landscaping should be included on the submittal and how the hardscaping that would potentially be adjacent to the new wall, will be addressed. Donna will send a letter asking them to re-submit with more detail.

F. Newsletter (*Sorraiyya Beheshti*)

- Reports for the December *Splash* edition are due to Sorraiyya by 4 PM Sunday, December 13th.

G. Compliance (*M. Lovelady*)

- Backyard fence policy – DRAFT
 - Melissa said there are still no answers to the back wall questions. CC&Rs might need to be amended.
 - Alicia commented most people understand the back wall is shared. Tucson Law says adjoined walls are shared walls. Claire Callahan mentioned that before Wrightstown Ranch was built, there was nothing behind the walls that now border the Ranch properties and it's not clear if the wall is all on one property.
 - Dario Navia reported back walls that border the wash are the property of the homeowner.
 - Judi Dalton commented that it is no small matter to update the CC&Rs and if we do that, we need to look at everything because it takes 2/3rds of homeowners to approve any changes.
 - Attorney quote for revising the CC&Rs was \$5,000. Alicia suggested we accept the revisions of the attorney and assume the non-attached wall between lots is shared. Perhaps Melissa could investigate the lot lines and when we have that information, proceed.
 - Donna referenced the attorney's document: "For the purposes of this policy, a perimeter yard wall is defined as a masonry wall or fence that separates Lots within Fountain Park or that separates a Lot from Common Area or a Public Street or other public property. Walls between a Lot in Fountain Park and a Lot in an adjacent subdivision are not covered in this policy and any disputes pertaining to such walls are to be resolved between the adjoining Lot Owners."

A motion was made and seconded (Lovelady/Navia) to approve final revision of Policy on Responsibility for Perimeter Wall Maintenance and Repair document. After discussion by the Board, motion was open to the floor. Motion passed.

- Donna said policy would serve as part of the governing documents, although it is not an amended part of the CC&Rs. Once signed, we will get the policy posted on the website.

H. Recreational Committee (*M. Lovelady*)

- Survey (Draft)

- Survey was tweaked based on discussion in November. Survey will be distributed via Survey Monkey.
- Mina suggested Lot numbers be included so there can only be one response per lot, as well as contact info.
- The Board will decide when the survey is sent. Judi Dalton suggested talking about the survey at the Annual Meeting.

A motion was made and seconded (Lovelady/Navia) to approve the survey as written. After discussion by the Board, motion was open to the floor. Motion passed.

I. Management (Donna Wood)

In Escrow					
Escrow Date: 11/1/2020-12/6/2020					
New Owner	Unit Address 1	Lot #	Previous Owner	Process Date	Escrow Date
Darrel Williamson & Janie Singer	9021 E Seneca St	69	Paul & Helen England	12/4/2020	11/25/2020
Karen Yeager & Patricia Martin	8931 E Chauncey St	100	William & Andrea Aberman	11/17/2020	0
				0	11/9/2020

November 2020 Financials

Operating Account	\$ 62,950.77
Reserve Account	\$ 89,335.54
Total Assets	\$ 152,306.31

YTD income from title transfers is \$1,800; for the month of November it's \$200.

Expenses:

Administrative: Under budget by \$1,051.30. Due to no legal fees and very little postage and copies.

Maintenance: Under budget by \$1,368.74. Key areas under budget or no expenses were the following: Irrigation repairs, M&R general, M&R fountain, pest control.

Utilities: Under budget by \$411.33. Gas was our biggest under budget item by \$382.06.

Total Operating Expenses for November were under budget by \$2,831.27 and for the year under budget by \$21,895.59.

Reserve Contribution: \$3,400.

Reserve Account Expenses: No monies were spent from the Reserve Account.

Miscellaneous

ACC

There was a late submittal for Lot 155 for front patio/pony wall addition to front. It was included in the package and previously discussed.

DRAFT Policy on backyard wall responsibility

I had a conversation with Carolyn Goldschmidt about a few issues. I sent this information to the Board on November 17:

- In the backyard wall responsibility, the CC&Rs "anticipate the wall is on one lot or the other" with permissible encroachment.

- For the time being, maybe take the position, with the assumption the back wall will be shared responsibility between the two neighbors (it will ultimately require a CC&R amendment). (This line was my thinking, not Carolyn's.)
- Humanitarian Signs – Because of current general divisiveness in the world at large, she advises at this time to allow ONLY the signs allowed in State Statutes. (She states that allowing humanitarian signs would also open the door to someone who may want post neo-nazi signs or something in between.) Best to stay neutral....until CC&Rs are updated.
- Alicia and I spoke and then questioned Carolyn about updating the CC&Rs.
 - \$5,000—NTE price should include the following:
 - Create a first draft of updated and restated CC&Rs.
 - Updating the Bylaws and creating a draft.
 - Submit to the Board and Review Committee.
 - Have an in person or Zoom meeting with Carolyn to review both documents.
 - 2nd Draft or Blue line documents created from a review meeting.
 - Create a cover letter and ballot for the community to vote.

Nominating Committee and Election Voting

I met with the Nominating Committee via Zoom shortly after the November Board meeting. We did a practice run on the ballot and the voting. (Unfortunately, you get "one run" at testing the ballot. We realized we can also include the DRAFT Annual Meeting Minutes and vote on those as well.

Nomination forms and Notice of Annual Meeting were sent by community email on December 2nd. Nominations close on December 17th.

I am assuming the Nominating Committee will update the Board at the meeting.

Annual Meeting Timeline

Annual Meeting: Saturday 1.16.2021

Notice and Nomination for new members: 12.4.2020

Annual Meeting Package mailed (or electronically sent): 12.21.2020

Terms that expire in 2021:

Melissa Lovelady

John Steffens (completing a term)

Kate Avery (vacancy).

J. Nominating Committee

- Annual Meeting Elections/voting updates
 - Claire Callahan reported there will be one ballot per household, so those with two email addresses will need to select just one for voting purposes.
 - The announcement went out on December 2 via US mail.
 - January 16 Annual Meeting will be via Zoom and info will be sent out at least 48 hours prior.
 - Package will go out December 21 with instructions to vote online with Election Buddy and how to attend the meeting on Zoom.
 - Ballots will be counted until the start of the meeting. Election Buddy will tabulate the votes.
 - Claire asked homeowners to watch for emails regarding the Annual Meeting.

K. FP Streets Reconstruction Committee

- Members
 - Carol West, Claire Callahan, Ann Ochse, BJ Cordova, Kent Trader

- Strategy Meeting
 - Meeting will be Saturday Morning, December 12th at 10:00 am

V. New Business

None

VI. Owner Comments

None

VII. Next Meeting

A. Annual meeting Saturday, January 16th at 10:00 a.m.

VII. Adjournment

- **There being no further items of business, the meeting adjourned at 7:36 p.m.**

	Term Ends	Phone	Cell	Email
Alicia Navia, President	2022		614-507-4067	Ainavs319@gmail.com
Mina Reeder, Vice President	2022		520-979-1267	Minareeder1896@comcast.net
Melissa Mora-Lovelady, Secretary	2021		520-975-7623	mluvlady@gmail.com
John Steffens - Director	2021		808-230-1294	abramsm@gmail.com
Donna Wood, CMCA, AMS		298-2146		donna@pinehurstproperties.net