

VILLAGE OF FOUNTAINVIEW COUNCIL MEETING AT THE NEWARK
SENIOR CENTER AND VIA ZOOM, JULY 13, 2022

President Carrie Bolen called the meeting to order at 6:29 pm.

Secretary Paula Kelly called the roll. Present: Mary Ellen Fish, Mel Wenneman, Karen Baker, Carrie Bolen, Deborah Ingram, John Evans, Mary Davis, Paula Kelly. Also present Samantha summers (FSR).

Absent: Bill Anderson

Zoom participants: 21; Residents present at meeting: 27

ANNOUNCEMENTS:

August meeting moved to Monday August 8th at 6:30 pm.

LAWN: There has been lots of positive feedback regarding the lawn appearance. Premiere said it will take about two years of treatments to get it where it should be.

RECOGNITION: Council recognizes Bob and Mary Ann Brown, and Margaret Glanville for their community service. Almost daily, the Browns pick up trash/debris on the property and help to identify the recycling offenders. Margaret has updated all the documents on the current website and is nearly ready to debut the new website (vofdelaware.com with same log-on). It will be more user friendly with extra features. Gift cards will be presented to them in appreciation of their service.

PETS: They must never be off the leash.

PROPORTIONATE INTERESTS: Clear clarification on this has been received from the attorney, Mr. Franta; it is not based on square footage and never has been. An email blast will be sent on this subject.

PATION AND DECK INSPECTIONS: Samantha reported that in the June inspection there were 27 violations. Seven were new; 20 were repeat offenders. Photos are on file.

TRASH AND RECYCLING: Education continues about recycling, but non-recyclables especially plastic bags still are being found in the recycling bins almost daily. Volunteers are going through the bags. When the offenders are identified, a note which states the offense is posted on their door. Imposing fines will be the next step. Please read what can and cannot be recycled, and keep trash out of the recycling bins.

COMMITTEES

RECYCLING AND TRASH: Linda Chandler (bldg 2000) has joined this committee

OLD BUSINESS:

MOVE-IN, MOVE-OUT POLICY

MOTION BY JOHN EVANS: That the Move-in, Move-out Policy be approved. Mary Ellen Fish seconded the motion. All approved. Motion passed.

An email blast of the policy will be sent.

POND CONTRACT: This is a recurring contract that had been overlooked. A \$1000 payment is due.
MOTION BY JOHN EVANS: I move that this contract be approved and whatever execution of contracts by the property manager be followed appropriately. Deborah Ingram seconded it. All approved. Motion passed.

TREASURER'S REPORT:

MOTION BY JOHN EVANS: That the Treasurer's Report be approved as read. Mary Davis seconded it. All approved. Motion passed. The report will be posted on the website and the bulletin boards.

John also spoke of the need to begin the budget earlier in the year. He suggested that Samantha contact all the VOF vendors and for them to report back within 30 days what our upcoming fees will be.

MOTION BY JOHN EVANS: That Samantha be directed to contact all VOF vendors to submit their upcoming fees within 30 days for 2023. Mary Ellen Fish seconded. All approved. Motion passed.

John also reported that the association has dramatically reduced the delinquencies (late paying unit owners) from a very a high figure when council first took over a few years ago to the present. This resulted from work by Samantha Summers and FSR and our use of a no-nonsense attorney . John will be putting the few remaining late payers on notice; they will face legal action unless they pay up.

MOTION BY JOHN EVANS: That the Council advises Samantha to reject those seeking a waiver for the late fee, and if those residents think they have a legitimate complaint, they may appear before a regular Council meeting and present their case. Mary Ellen Fish seconded it. All approved. Motion passed.

NEW BUSINESS:

PROPOSED USE OF UNSPECIFIED FUNDS IN THE 2022 BUDGET:

FIRST MOTION BY JOHN EVANS: That the following Partially of Fully Identified Projects set forth in the unexpended portion of the Building Repair and Maintenance portion of the 2022 Budget shall be and are hereby authorized to be expended from the available total of \$59,000 as follows:

\$7500 to be used to offset and replace the payment to the FSR handyman for approximately five and one-half months of service at the previous rate of one eight-hour day per week.

\$23,000 to be expended as Project No. 22-1000-3 for installation of a tile floor and hallway painting for the entire third floor of Building 1000.

\$23,000 to be expended as Project No. 22-1000-4 for installation of a tile floor and hallway painting for the entire fourth floor of Building 1000.

\$1300 for painting of the shutters in all Villa units.

After the payment of the foregoing, the sum of \$4200 remains unexpended in the foregoing identified budgeted funds.

Mary Ellen Fish seconded the motion. All approved. Motion passed.

SECOND MOTION BY JOHN EVANS: That the following projects are hereby authorized to proceed in calendar year 2022 and shall be paid for from the \$51,000 of unspecified projects in the 2022 Building and Repair & Maintenance funds as follows:

\$23,000 to be expended as Project No. 22-3000-4 for installation of a tile floor and hallway

painting for the entire fourth floor of Building 3000.

\$23,000 to be expended as Project No. 22-3000-3 for installation of a tile floor and hallway painting for the entire third floor of Building 3000.

After the payment of the foregoing, the sum of \$5000 remains unexpended in the foregoing identified budgeted funds.

Mary Davis seconded it. All approved. Motion passed.

THIRD MOTION BY JOHN EVANS: That a project to be identified as Project No. 23-3000-2 for installation of a tile floor and hallway painting for the entire second floor of Building 3000 in the amount of \$23,000 shall be included in the 2023 budget for the Association; and that a project to be identified as Project No. 23-2000-3 for installation of a tile floor and hallway painting for the entire third floor of Building 2000 in the amount of \$23,000 shall be included in the 2023 budget for the Association.

Deborah Ingram seconded it. All approved. Motion passed.

FOURTH MOTION BY JOHN EVANS: That the Association having been advised of the impending delivery to the Association of \$138,500 in net proceeds from settlement of ongoing litigation in the State of Delaware which proceeds are known as the BEST STUCCO SETTLEMENT it is the decision of the Council that such proceeds shall be expended as follows upon receipt of the funds.

Establishment of a Legal Fund

(For the availability at the discretion of Council
for purposes of paying legal retainers and/or fees
for legal representation in various matters involving
the Association such as litigation, contracts, etc not covered
by other sources of funds or contracts.)

\$45,000

Establishment of a Contingency Fund as
required by Fountainview Code of
Regulations to pay for unbudgeted and unanticipated costs
for which no other source of funds is available.

\$45,000

Parking Lot Painting including sealing of entire paved
areas around Buildings 1000, 2000, and 3000, and line painting
for routine car spaces, and for handicap spaces and zones, no
parking areas, and building identification markings on designated
space groupings.

\$33,000

Parking lot lighting upgrade including replacement of crown
light pole fixtures and LED bulbs to double Lumen output for
15 +/- poles.

\$15,000

\$138,000

The remainig \$500 may be used to supplement the costs of the two
foregoing parking lot projects if needed. In the event that there
are any excess funds remaining after the completion of the

foregoing expenditures, the excess remaining shall be paid over to and supplement the funds raised by the 2022 Special Assessment. Paula Kelly seconded it. All approved. Motion passed.

POSSIBLE SPECIAL ASSESSMENT:

Listed below is what each owner would be assessed if the amount is an even \$100,000. Following the schedule are the proposed items for the special assessment as presented in a motion.

POSSIBLE SPECIAL ASSESSMENT SCHEDULE

| | |
|-------------|----------------------|
| Units A & B | Will owe about \$251 |
| C | \$378 |
| D | \$388 |
| E | \$534 |
| TH/Villas | \$1,018 |

MOTION BY JOHN EVANS: That the following Special Assessment shall be presented to the unit owners of the Village of Fountainview Condominium Association at a meeting called solely and specifically for the purpose of voting to approve or disapprove of the implementation of the specific projects and items identified below, and approving or disapproving of the assessment per unit of the sums identified as the assessment per unit based on the unit's proportionate interest:

Restoration of funds already expended in 2022 for unanticipated professional of firing warning, extinguishment , suppression and alarm systems in the apartments, townhouses, and villas which expenditures were not included in the 2022 budget approved by the unit owners; and funds expended to make repairs and replacements of fire system suppression components found by inspections to be in need of repair and replacement. \$27,000

Restoration of funds expended in 2022 for unanticipated payment of retainers for legal services and court costs related to existing and proposed litigation in which the Association is or will be a party which funds are not included in the 2022 approved budget. \$10,000

Installation prior to Fall 2022 of gutter guards for the southern exposure of the townhouses to the University of Delaware to prevent persistent leaf clogging requiring annual gutter cleaning expenses. \$5,000

Installation and activation of one(1) automatic self-powered entry door in each of Building 1000, Building 2000, and Building 3000 designed to accommodate and facilitate entry by disabled individuals employing walkers, wheelchairs, or other devices to assist ambulation for a total of three (3) power doors (specific door location per building to be determined). \$10,000

Payment of the cost of remaining projects for the installation of tile flooring and repainting of hallways in Building 2000:

Project No. 23-2000-2 installation of a tile floor and hallway

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| painting for the entire second floor of Building 2000. | \$23,000 |
| Project No. 23-2000-4 installation of a tile floor and hallway painting for the entire fourth floor of Building 2000. | \$23,000 |
| Purchase of two large dumpsters for recycling material to replace the smaller, existing recycle dumpsters located at the west end of Building 2000 and the north end of Building 1000. | \$7,000 |
| TOTAL: | <u>\$105,000</u> |

In the event that the actual expenditures set forth above total less than the total per items or total for all items, the excess funds, if any, shall be available for and may be expended at the discretion of the Council for items in the 2022 budget for which approved and budgeted funds are less than the amount necessary to defray the costs thereof.

Deborah Ingram seconded it.

DISCUSSION:

CARRIE BOLEN: She said that Fountainview maintenance has been neglected for 15 years. Until these items are addressed, VOF cannot get to the gate of a maintenance program. While there are many projects, these are the most important ones.

KAREN BAKER: Karen had presented an option to John's plan where she had some projects (tile floors) to be paid by the reserves as that is where they had been budgeted. That in turn freed up money for other projects. Karen's plan eliminated an assessment, but that the legal and contingency funds, and the unbudgeted \$27,000 fire system could be covered by settlement money.

CARRIE BOLEN: Is opposed to using any reserve money.

MEL WENNEMEN: Mel views the reserve study as a repair replacement study and first on the list for 2020 was replacing all corridor carpeting. She questions why it isn't paid for out of the reserve fund. Mel does not see the reserve fund as a catastrophe fund

All approved. Motion passed.

LANDSCAPING: Karen Baker: The trees have been pruned weekly, and they are looking good. The weeping birch has low hanging branches over by Building 1000; it will be dealt with tomorrow. This fall, the committee hopes to replace the four trees in the courtyard that previously had been removed. There also will be oak, magnolia, and dogwood trees added to the property. The committee will meet with an arborist who will makes suggestions about other tree plantings. Another addition will be a Christmas tree and other evergreens in the courtyard to provide some holiday joy. The retaining wall at the west end of Building 3000 will have hydrangeas and some spring bulbs will be planted in front of Building 2000.

OPEN TO COUNCIL: No comments

AUDIENCE PARTICIPATION:

SANDY PICK (bldg 3000): Concerned that the drainage problem should be addressed before the parking lot painting as the parking lot may have to be torn up to address the drainage issue. The freezing from this drainage has led to people falling.

BILL SCHEPER (bldg 1000): Questioned if all the hallways being painted at the same time will become part of routine maintenance. Also wanted to clarify that VOF has 287 parking spaces.

ANNE DRUSES (bldg 1000): She has recently moved here; concerned that there has never been a special assessment and wonders how this happened. She chose VOF because of affordability. She also had written a letter to the Council and wants a response.

JOHN WESSELLS (bldg 1000): Questioned why VOF doesn't borrow the money and pay it back over five years. Carrie explained that we are not an owner-occupied community. Consequently VOF is not credit worthy. John also wondered about the building lights.

LARUE SUBER (bldg 3000): A tree is encroaching on their deck; wants someone to determine if the limbs can be trimmed. Carrie directed her to submit a work order to Samantha.

AL MANN (TH): Thinks the community is being asked to consider items that no one knows anything about. Said there is no documentation to review until a decision has been made. Warned that we may be mixing budget changes with special projects. The budget is voted on by the community, so a change in the budget should be taken back to them to consider. Suggested VOF utilize two documents called Statement of Sources and Uses of Funds. It provides a column for the money coming in and one for the money going out and ascertain shortfalls. Samantha replied that this is part of the financial statement given each month, but it is not all of it. Al said residents should see it.

KAREN LAFAGE (bldg 1000): Complained about a mold problem in Building 1000; was told to submit a work order.

LINDA CHANDLER (bldg 2000): Reminded everyone that VOF is a collaborative homeowners association who need to come together in a peaceful way to present the issues.

LINDA MALM (bldg 1000): Questioned where the \$100 for late payment fees go. Carrie said it goes back to VOF. Also suggested listing the number of Zoom participants and those who attend in person.

MOTION TO ADJOURN BY JOHN EVANS; Mary seconded it. The meeting was adjourned at 8:27 pm.

Respectfully submitted,

Paula F Kelly