

VILLAGE OF FOUNTAINVIEW  
Minutes of the General Fountainview Council Meeting (ZOOM)  
**Wednesday, July 14, 2021, 6:30 PM**

**COUNCIL ATTENDEES** (responding to roll call):

Karen Baker	Deborah Ingram
Esther Boone	Paula Kelly
Mary Davis	Cam Vu
Dennis Duckett	Samantha Summers, 1 <sup>st</sup> Service Residential
Patty Hagan	

**CALL TO ORDER:**

Patty announced that the Newark Senior Center will begin renting out rooms in September, but have not yet confirmed the dates Patty gave them for Fountainview.

Secretary Esther Boone read the minutes from the June 9, 2021 General Meeting. Karen Baker made a motion to accept the minutes and Paula Kelly seconded the motion. The minutes were accepted unanimously by roll call vote. They will be posted on the 3 building bulletin boards, and Cam Vu will post them on the Fountainview website.

Treasurer Cam Vu gave her Treasury Report. There being no questions, the report will be on file with the Secretary and posted on the web site.

Mary Davis reported that the Dog Committee is still organizing and expects to have a meeting in approximately two weeks.

**OLD BUSINESS:**

**Cleaning of Dryer Vents:** Patty reported that although we voted at the previous meeting to make dryer vent cleaning mandatory, we did not establish a time-frame. She added that she found no relevant information in state laws and fire codes, and asked for information from Samantha based on her experience with other communities. Patty asked for a motion to plan fire vent cleaning every three years. Debbie Ingram seconded the motion. Following a question about a starting date, Patty stated she wished to amend her motion to be “to amend the motion to have the dryer vents cleaned at Fountainview once every three years”.

Dennis Duckett asked to have clarification as to whether the word “Fountainview” meant that Fountainview pays for the cleaning and Patty stated that the owners, as included in the original motion, would pay for the cleaning. Another question asked if owners could refuse to have the cleaning done, and Patty replied “No, it will be mandatory”. John Evans suggested it would be useful if someone actually had a prepared written motion that covered all of the basic elements, for example when it would become effective. John posed several other possible situations that should be covered in the prepared amendment. He added that imposing something mandatory might require that the new rule become part of the “Rules and Regulations” and be published, therefore, with owners allowed 15 days to ask questions, and accept or refuse. Discussion followed trying to determine whether we could go forward

without delay, as we did with the bird nests, or did we have to follow the routine for Rules and Regulations. Patty suggested returning to “the drawing board” with her amendment. In further discussion Samantha stated that if we charge the owners then the cleaning must become part of the Rules and Regulations, but if the Association pays for the cleaning it does not have to become part of the Rules and Regulations. She added that it was most common for Associations to pick up the cost and make it part of the budget. This discussion was joined by other owners and no agreeable conclusions were reached.

Samantha reported that she had received estimates from \$95 per unit to \$158 per unit, and confirmed that the estimates also applied to the villas and townhouses. She stated that the total cost using the lowest estimate based on a probable total of 200 units would be \$19,040.

There followed further discussions about how the costs of vent cleaning would be funded. For example, vent cleaning costs might have to be controlled by a general vote, the same as trying to pass a rule. John Evans summed up by saying that there is nothing unique to moving funds around in the budget for an emergency, and the council is trying in this situation to remediate a safety issue. Linda Power cautioned against doing vent cleaning in increments because it would further delay cleaning some units that had not been cleaned for very long periods. She said this might invite litigation. Jim Mullen described the large amount of material recently taken from his own vent, and urged council to get the cleaning done now on all vents and worry about scheduling future cleaning later.

Dennis Duckett made a motion that “the Association would pay for dryer vent cleaning for the entire community with the lowest estimate of \$95 per unit and all units that had ever been occupied would be included.” Deborah Ingram seconded the motion. Patty proceeded with a roll call vote and the motion was passed unanimously.

**Smart Meter Pricing:** Cam Vu reported an estimated total cost from the City Manager of \$45,720 for the equipment and electrical and plumbing work, which will be done by the city’s Public Works Department. They will submit a price per unit in several days. John Evans suggested, so that we can be ready to authorize the work and move forward immediately, that “we adopt a resolution to authorize the council to engage the city to install smart meters in all three main buildings at a price not to exceed \$100,000, or \$125,000”. John listed various ways to cover the project financially and he referred to the many delays in the past several years. Others agreed with John’s suggestion. Samantha suggested we “make a motion to approve moving forward with smart meter installation not to exceed \$150,000”. Deborah Ingram seconded the motion. John Evans suggested we add the phrase “cost to be captured by provisions that will be adopted by the council within the next 60 days”. An attendee questioned whether council could approve authorizing spending above the maximum allowed in our rules and regulations. Patty stated that the rules and regulations allow only up to \$15,000 without a general vote.

John Evans stated that since Cam Vu has already told the city to go ahead and order the equipment after having the city explain that they can either charge the cost to the water bills or the property tax bills, we do not have to do anything further. John said that means, to him, that they don’t expect Fountainview to fund the cost of the equipment. It will be paid by the

individual property owners. John added that the city could do the same thing regarding the cost of plumbing and electricity to install the meters and relay system, etc.

Patty asked for an exact reading of the original motion made by Dennis Duckett, but the Secretary was not able to keep up with the discussions in shorthand and said that she only had the motion on her recording of the meeting. John Evans said he believed that he could recall the original motion from the notes he had taken, and proceeded to dictate the motion to the Secretary. "A motion to proceed to advise the city that Fountainview now stands to purchase the equipment and to install the smart meters at the earliest possible opportunity and that the Association authorizes and commits to the acquisition of smart meters, related equipment, and labor for installation, at a cost not to exceed \$150,000, which will be funded by the city and assessed to individual unit owners by a device of their choosing." Patty Hagan seconded the motion. The motion was passed unanimously by roll call vote.

### **NEW BUSINESS**

**Pricing for repainting the parking lines** Samantha reported estimates of repairs and repainting that the Association wants to do right now in all of the parking areas for 12 handicapped spaces and would repaint the fire lane lines: All Out Parking = \$7,300; TriConConstruction = \$6,200. To determine the eventual number of handicapped spaces and their locations, as well as locating curb cuts, more walk-around study is needed. Many problems were discussed. No action was taken at this time.

**Dennis Duckett for Dom Serria** Dennis reported that Dom Sierra has requested permission to put a cone next to his handicap van. In the past if somebody parked next to him, he had no room for his ramp unless his wife moved the van for him. But he recently had his van modified so that he can drive it himself. Dennis supports giving Dom permission to use a cone until we have completed the study and have a plan in place in which we can actually specify "VAN ONLY". Dennis offered a motion "that council approve Dom Sierria the ability to put a cone next to his handicap van until we come up with permanent space for him." Patty Hagan seconded the motion, which was passed unanimously by roll call vote.

**Carrie Bolen re pool:** Carrie Bolen entered a motion that the Council "re-instate the pool rules determined prior to the pandemic and requested by the community through a survey." She stated that the pool is being operated under the temporary rules set up when the pandemic was at its worst, although the Governor has lifted his mandates and the designated "state of emergency". Following a roll call vote, Patty stated that the motion was passed, and the pool was now open subject to the pre-pandemic rules. Further details, such as updating waiver forms, will need attention.