

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, JANUARY 5, 2006

ATTENDEES: Richard Berman, Maria Broadbent from the City of Rockville, Ernie Culman, Margaret Chao, Jeff Grandin, Alex Manolatos, Joe Jordan, Geoff Becker and Jim Denny.

Board members not in attendance: John Brown.

Community Forum: Maria Broadbent, Neighborhood Community Resources coordinator from the City assigned to New Mark Commons, was present to discuss several topics with the Board. The City is working on revising the current zoning regulations. Maria mentioned the Planning Department staff is available to speak at community venues to explain the process and ask for input from residents. The trash collection pilot program using large receptacles and automated trash trucks has not started yet. The City is still doing community outreach and education on the program. It was mentioned that New Mark Commons residents are forced to hold their recyclables for an extra collection cycle due to national holidays being celebrated on Mondays. This occurs 4 to 5 times a year. It was also mentioned that the City did not adequately advertise the additional recycle collection on the Wednesday between Christmas and New Years. Joe asked about the proposed traffic flow changes at the Monroe Street and Argyle Street intersection. Maria said the staff will make their recommendations to the City manager in a couple of weeks. She did not know what their recommendations will be. The location of the sidewalk along Argyle Street is still being determined.

Office and Committee Report

Richard Berman was present as Chairperson of the Community Enhancement Committee. Richard had several suggestions and observations for the Board. He proposed that New Mark Commons Homes Association Incorporated (NMCHAI) withhold association documents required when a home is sold if there are any outstanding dues or Architectural Control violations. The documents would be released when the dues are made current and any ACC violations rectified. He mentioned the wooden street sign at the entrance of the 100 block of town homes needs paint and should be relocated. It should be moved to a more visible location between the street curb and the sidewalk. He asked for assistance in doing the annual community walk through. Joe volunteered to help Richard with this task. He suggested the community have another Volunteer Neighborhood Improvement Day. Last year's clean up day was successful. He believes we can improve and expand the areas that need attention. This may be an opportunity for community service credits that are required by the school system. Jim will research to see if this activity would qualify as a community service project. March 18th 2006 has been selected for Neighborhood Improvement Day. We will advertise in the newsletter and on the website. A couple of maintenance and operations issues requiring answers from the City were given to Maria Broadbent. Are there plans to repair the stretch of Maryland Avenue between New Mark Esplanade and Fleet Street? During traffic enforcement on Maryland Avenue, the Police Department often uses NME to stop motorists and write speeding tickets. Could they

please pull the offenders further down NME and not block the entrance lane to the community. Alex asked if the City had any input in the location of utility boxes? There is a phone pedestal in front of her parking space that is vulnerable to damage by cars pulling into the parking space. What would it take to get the box moved? Maria said she would get back to us with answers to our questions.

Upon a motion by Margaret and seconded by Alex the minutes of the December Board meeting were approved.

Administrator's Report

Dues: There are two residents who are in arrears. A lien has been placed against both residences. The January dues invoices were mailed in late December. The first payment is due February 1st.

Administrator's Job Description: Jim gave the Board a document outlining the duties and responsibilities of the NMC Administrator. Joe asked that this be put on the agenda for the February meeting. He would like to discuss an annual review and evaluation process. He also would like to discuss salary increase vs. bonus.

Audit: Jim told the Board the annual audit of the Association's financials by Monte Loeb, CPA, would begin on January 24, 2006.

Old Business

Lake: Jim told the Board that he, Joe and Jeff met with Chris Choppin, EQR Inc. Vice President who was in charge of our lake dredging project. We discussed the final landscaping and sidewalk issues that need to be resolved along with the release of the sediment control and public works bonds by the City. Chris said the additional spoil removed from the lake in combination with the erosion control measures NMC took upstream of the lake, would probably extend the time before the next dredging would be required.

Concrete Repair: Jim told the Board the weather halted plans for concrete repair in the community. It will begin as soon as the weather allows.

New Business

Annual Meeting: Jim told the Board that the term of three Board members was expiring in March. Geoff, Jeff and Joe's terms expire upon the election of new members at the Annual Meeting scheduled for March 14, 2006. We will announce the vacancies in the January, February and March newsletters and on the website. Joe mentioned that if an incumbent is running for another term as Board member, they should also be required to submit a bio, along with the new candidates for the Board.

CAI Conference: Jim told the Board the annual Community Associations Institute (CAI) Conference and Exposition is taking place on Saturday, February 18, 2006, at the Washington Convention Center. He will be attending and if anyone else wishes to attend, please let him know.

International Dinner: The date for the International Dinner is yet to be determined. Joe will check with Raj Gupta to see when he is available.

Reimbursement for mileage: Jim asked the Board if he could be reimbursed for mileage driven while on NMC business. Margaret asked if Jim would be covered by NMC's insurance if he was involved in an accident while on company business. He did not know but would check with our agent at Associated Insurance.

Betty Hileman meeting: Jim will schedule a meeting with Betty Hileman to discuss her new law firm and her continued representation of NMC.

Additional Items

Jeff asked that the issue of retroactive ACC enforcement be placed on the February board meeting agenda. It was mentioned that the ACC Guidelines should be updated and the two most controversial sections requiring attention were exterior doors and light fixtures.

Margaret asked if Richard Berman's suggestion to withhold resale documentation would require a change to the Association's By Laws? We will ask Betty Hileman when we meet with her later in the month.

Margaret mentioned that on the afternoon of December 23, 2005, a fire was set in a pile of leaves along Welwyn Way. There were several students from Julius West Middle School nearby, but they denied any involvement in the fire. A NMC resident extinguished the fire before the fire department arrived. Margaret suggested that Jim talk to principal at Julius West.

The meeting was adjourned at 9:25 PM upon a motion by Jeff and seconded by Ernie.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, FEBRUARY 2, 2006

ATTENDEES: Ernie Culman, Margaret Chao, Jeff Grandin, Joe Jordan, Geoff Becker, John Brown, Maria Broadbent from the City of Rockville, Doug Worthing, Mark Fow, Linda Huntington, Stewart McKenzie, Tom Bonifant and Jim Denny.

Board members not in attendance: Alex Manolatos.

Community Forum: Doug Worthing, 1 Tapiola Court, was present. Doug was a member of the NMC Board of Directors when the community established the Reserve Fund. He wanted to share some information with the Board concerning the association dues policy. He mentioned that when the Reserve Fund was being established, the Board asked for an independent outside legal interpretation of the dues increase provisions in the NMC Covenants. There are two provisions defining the way dues may be increased. One is based on the Cost of Living increase over the prior year. The other is based on the percentage of increase in the assessment of real property. Both formulas are cumulative from January 1, 1968.

Maria Broadbent, Neighborhood Community Resources coordinator from the City assigned to New Mark Commons was present to discuss several topics with the Board. Maria mentioned the Planning Department staff is available to discuss the City's plan for a major revision and update to the Planning and Zoning ordinance. The Board discussed having the Planning Department as the speaker at the annual meeting Instead of the Police Department speaking on emergency preparedness. Jeff asked if the Planning Department could also speak on the progress of the downtown redevelopment. For example: who are commercial tenants? What is the current time frame for completion? It was also mentioned there may be some confusion between the new street downtown named New Market Street and NMC's main street, New Mark Esplanade. Maria said she would mention the street naming to David Levy, Town Center Coordinator for the City. Maria also mentioned the city manager has requested more information from staff before deciding on the new traffic patterns at the Argyle Street and Monroe Street intersection. She also said the application by the Jehovah's Witness Church to create additional parking spaces on a lot adjacent to their church was denied by the Planning Commission. The City Planning Division has received an application to erect a 70-foot monopole cell phone tower on the grounds of Julius West Middle School. Maria is working to get the contractor to provide more notice to the surrounding communities that may be affected the proposal.

Upon a motion by Margaret and seconded by Ernie the minutes of the January Board meeting were approved.

Office and Committee Report

Linda Huntington was introduced to the Board as the new Chairperson of the Tree Committee. She was present to hear Tom Bonifant's presentation on the condition of New Mark's trees.

Administrator's Report

Dues: Jim told the Board there were 69 residents who have not paid the first installment of their 2006 dues assessment. He will send out late letters after February 15th.

Tom Bonifant, owner of Bonifant's Tree Service had been invited to address the Board about the condition of the trees on NMC common property. Tom told the Board he walked throughout the community and also along the boundary between NMC, Monroe Street and the Fire Side Apartment complex. He said tree maintenance can be divided into high and low priority areas of concern. In high priority areas, the trees are adjacent to buildings or near or hanging over high traffic areas like our walking path. Trees along the boundaries with our neighbors that present a threat to their property are also considered high priority and are our responsibility to maintain. Low priority trees are ones that do not present a hazard to people or property. He noted 4-5 trees that need to be pruned along the property line with Fire Side Apartments. He will prepare an estimate and send it to Jim. He told the Board that over the last several years the community has been very proactive with tree maintenance. The trees in the townhouse parking lots have been pruned on an as needed basis. There are instances where the wrong kind of tree was initially planted on community property. An example would be the maple trees planted in the townhouse parking lots. Their shallow root system is damaging concrete sidewalks and curbs. The community also has a large number of black locust trees that are dying off. They should be replaced by a more desirable species. Linda Huntington asked if we should be replanting in the common forest areas. Stewart McKenzie mentioned the Landscape Committee and Tree Committee are putting together a comprehensive landscape and tree maintenance plan to present to the Board. Tom suggested doing a site visit twice a year during different seasons. Joe mentioned that we must make sure we allocate adequate funds to protect and maintain our forested common areas. The Board thanked Tom for his presentation.

2005 Budget year end: Jim gave the Board the final 2005 year expenditures versus the 2005 budget. There were several questions about individual line item expenditures. Jim also gave the Board an accounting of all reserve funds spent during 2005.

2006 Budget: Jim gave the Board the 2006 Budget which reflected the changes approved at the December Board meeting. The 2006 Budget numbers did not change. The Administrator's salary line was changed to reflect no increase and an additional budget item for the Board-approved 2005 Bonus was added.

Old Business

Lake: Jim told the Board the two cash bonds for \$17,500 required by the City during the lake dredging project had been released and returned to NMC.

Administrator's Job Description: Joe requested this topic be put on the February agenda. He stated the document outlining the administrator's duties and responsibilities was a good starting point, but believes more detailed information is required about the position. He asked Jim what is involved in the day-to-day administrator's position and what percentage of his time is spent on administrative tasks versus site and facilities maintenance tasks. Is the job a 20 or 30 hours position or more? After discussion, Geoff made a motion, seconded by Jeff that discussion on the administrator's job be tabled. Jeff, Geoff and John voted in favor of the motion. Joe, Ernie and Margaret opposed the motion. The motion did not carry. Joe believes that measurable objectives and a method for evaluating the administrator's performance should be developed and implemented. Joe made a motion, seconded by Margaret, that a sub-committee be formed to further discuss the development of objectives and an evaluation process for the administrator's position. Jeff, Joe, Margaret, Ernie and John voted in favor of the motion. Geoff voted against the proposal. The motion was approved. John and Margaret said they would be interested in serving on the sub committee.

Annual Meeting: Jim told the Board that the term of three Board members was expiring in March. No candidates have come forward for the three Board vacancies. The board agreed to have The City Planning staff as speak at the Annual meeting instead of the Police Department. It was also suggested that there be discussion of the proposed change in the community's documents to permit recovery of legal fees when the Board successfully pursues court action for a violation.

CAI Conference: Jim told the Board the annual Community Associations Institute (CAI) Conference and Exposition is taking place on Saturday, February 18, 2006, at the Washington Convention Center. He will be attending and if anyone else wishes to attend, please let him know.

ACC Guidelines: There has been discussion during the past year about updating and revising NMC's Architectural Control (ACC) Guidelines and Procedures. Jim suggested we contact a professional to see if they would be able to assist us in this effort. Dr. Isabelle Gournay, professor of Architecture at the University of Maryland, gave a presentation at the NMC Clubhouse in 2004 on contemporary architecture in Montgomery County, specifically the homes built by Edmund Bennett. Jim will contact Dr. Gournay.

Community Broadcast email: The Board asked Jim to look into an email notification systems that would give the Board a way to disseminate information quickly to the community at-large. Jim told the Board he had discussed creating a list server with the contractors NMC uses for our website maintenance and PC software assistance. They were not familiar with a list server but said Microsoft Outlook could fulfill our

requirements. We could use the distribution list feature and the “bcc” option in Outlook to meet our goal. Jim suggested we ask residents if they would like to join the list rather than taking email addresses from the NMC Directory. The distribution list will be mentioned in the February newsletter.

New Business

Betty Hileman meeting: Joe told the Board that he, Margaret and Jim met with Betty Hileman at her office on January 18th. They discussed fee structure, annual retainer and her firm’s area of expertise, which is HOA representation. They also discussed a proposal to withhold Association documents required for the sale of a home until any ACC violations are corrected or past due accounts are brought current. Betty believes that since these documents are required by the state, we would not be able to withhold them. If a home has an ACC violation that has been brought to the owner’s attention, the owner is required by law to disclose that fact to a prospective purchaser.

Betty Hileman made several small changes to the proposed changes to the Association covenants revision developed by Geoff. This amendment would allow the Association to recover attorney fees after successfully defending the Association’s covenants. Geoff made a motion, seconded by Joe, that the Board accept the changes proposed by Betty Hileman. The motion passed unanimously.

Pool repairs: Jim gave the Board two estimates from pool contractors for repairs required before the pool opens for 2006. This was for their information only. He will get more estimates before the next Board meeting.

The meeting was adjourned at 10:15 PM upon a motion by Geoff and seconded by Joe.

NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, MARCH 2, 2006

ATTENDEES: Ernie Culman, Jeff Grandin, Joe Jordan, Geoff Becker, John Brown, Alex Manolatos, Maria Broadbent from the City of Rockville and Jim Denny.

Board members not in attendance: Margaret Chao.

Community Forum: Maria Broadbent, City of Rockville Neighborhood Service Coordinator was present to discuss several topics with the Board. She said T Mobile, the company building the new cell phone tower on the Julius West Middle School grounds, is holding a "balloon test" this coming Saturday, March 4th, at the school. The test is designed to show how tall the proposed cell phone mono pole would be when completed. The City program "Citizens Police Academy" will be starting again soon. She mentioned that Art Chambers and/or Dean Melander will be the speakers at our Annual Meeting. Joe asked if there had been a final decision concerning the proposed traffic calming alternatives discussed for Argyle Street. She said a final staff report was given to the Director of Public Works today and additional public meetings would be held in several weeks.

Lew Calvert and Carolyn Ramsey, representing Total Exteriors, were present to discuss the replacement front door their company installed at 214 New Mark Esplanade. They were under the impression that the Board had not approved the door style that was installed. Joe told them the Board had approved the current installation. Lew asked if they could receive a copy of the approval letter. Jim said he would send them a copy of the email approving the door installation.

Upon a motion by John Brown and seconded by Alex Manolatos the minutes of the February meeting were approved.

Officer and Committee Report: Ernie Culman proposed the Greeting Committee initiated last year be dissolved. When the committee was formed last year, he was under the impression that the Administrator was informed when a new resident moved into the community. Jim had told him that was not the case. In the instances when HOA dues were collected at settlement, Jim said he receives a copy of the HUD 1 settlement sheet along with the dues check. If dues are not collected, he seldom receives any notification from the settlement agent. Alex mentioned that we may be able to check the Montgomery County tax assessment records to get the name of the current owner if we know a property has been sold. Joe mentioned we should include a standard notice in the newsletter asking newcomers to let us know when they move into the community.

Administrator's Report

Dues: Jim told the Board there were 14 residents who have not paid the first installment of their 2006 Association dues. He will send out follow up letters.

Broadcast email: Jim informed the Board that to-date, 24 residents have signed up for the Community Broadcast email program. We forwarded an email we received from the Rockville City Police Department warning residents of a scam where callers identify themselves as Internal Revenue Service employees in order to gain personal information from people.

Community Clean Up: Jim told the Board the clean-up is scheduled for Saturday, March 18th at 9:00 a.m. We will meet at the clubhouse for coffee and donuts and then go to several pre determined areas that need attention. They are: next to the clubhouse drive way, overgrown corner of woods near the playground, small wood lot in the 300 block of NME and the large pine trees bordering the lake.

Old Business

Annual Meeting agenda: Jim gave the Board a copy of the proposed agenda. There was a change in the order of the meeting. The election of directors was moved to after the guest speakers. Jim said there are two candidates for the Board, Dunja Baker and Tom Revesz. Jeff said it was unlikely that he would run again. Joe and Geoff were still undecided about running for the Board again.

2005 Annual Meeting Minutes: Jim gave the Board a copy of the 2005 Annual Meeting Minutes for their information and review. The minutes will be reviewed and acted upon at the 2006 Annual Meeting.

2006 Continental Pool Contract: Prior to the 2005 pool season, NMC signed a pool management contract with Continental Pools Inc. It was a two year contract. There would not be any price increase from 2004 to 2005. There would be a 2% increase in 2006 over the 2005 contract price. The 2006 contract price is \$40,114.75 which includes the 2 percent increase of \$786.56. Upon a motion by Jeff and seconded by Geoff, the 2006 Continental Pools contract was unanimously approved.

NMC website: Jim asked if there was any reason to keep the link to weather.com on the NMC website. The link is not working. Our website contractor, Alison Beman, said the link has been modified since our site was built and she has not been able to get the link re-established. After discussion, it was decided to delete the link for the NMC website. Joe mentioned that we should look into archiving NMC Newsletters on the website. Jim will discuss this proposal with Alison.

New Business

Pool repairs: Jim gave the Board an analysis of four proposals we received to install a new plaster white coat on the pool. In addition to the white coat, we need 2 new life guard stand platforms, 9 filters for the Jacuzzi filter system and pool lighting repairs. The white coat estimates ranged from \$20,550 to \$22,762. The total estimate of the other items ranged from \$3,239 to \$5,485. Jim told the Board the new white coat would be considered a capital expenditure and covered by our reserve fund. He also said there could be additional repairs required, once the pool cover is removed. After discussion, Geoff proposed that we accept the proposal from Aquatic Specialties, subject to satisfactory references, not to exceed \$25,000. John seconded the motion, which was unanimously approved.

Jim told the Board he met with a representative from Rapidan Resources Inc. They are a representative for Progressive Design Playgrounds. They have several trellis and shade structures manufactured from recycled plastic. They also have several planter styles made from recycled material. The Pool Committee has suggested that we use planters to separate the eating area from the rest of the pool deck instead of the current rope system.

Bonifant Tree Service proposal: Jim gave the Board a proposal prepared by Tom Bonifant after he walked the New Mark Commons boundary along Monroe Street and Fires Side Apartments. He also assessed the condition of trees on our common grounds. There were four specific trees along our border that should be removed for a total of \$3,925. There were seven additional items noted for \$2,675. The total proposal cost is \$6,610. After discussion, Ernie made a motion that we accept the Bonifant proposal for \$6,610. The motion was seconded by Alex, which was unanimously approved.

Flooring Estimates: Jim had two estimates to refinish hardwood floors in the clubhouse. He will obtain an additional estimate before the next Board meeting.

Draft of 2005 Audit: Jim gave the Board a draft of the Summary of Audit Findings and Recommendations and the NMC Financial Statement as of December 31, 2005 prepared by Monte Loeb, C.P.A. The Summary of Audit findings had 2 recommendations: 1) NMC credit card statements and receipts be reviewed monthly by the appropriate Board member; 2) Monthly accounting procedures be documented in an Accounting Manual. The prior year's findings were also reviewed. The Financial Statements were also reviewed.

The meeting was adjourned at 9:20 p.m. upon a motion by Joe and seconded by John.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, APRIL 6, 2006**

ATTENDEES: Joe Jordan, John Brown, Margaret Chao, Dunja Baker, Maria Broadbent from the City of Rockville, Bette Goldman and Jim Denny.

Board members not in attendance: Ernie Culman, Alex Manolatos, Tom Revesz.

Community Forum: Maria Broadbent, City of Rockville Neighborhood Service Coordinator was present to discuss several topics with the Board. She said the City was sponsoring a Neighborhood Network Learning Series developed to give residents information on how to improve the safety and appearance of their community. It includes what City services were available to help residents, such as Neighborhood Services and Code Enforcement, and also what tools they could use to develop an active and involved Home Owners Association. She mentioned there is a walking town meeting scheduled for June 3rd, the topic being, "The new Town Center project". It was mentioned the proposed cell phone mono pole planned for the Julius West Middle School ground was still under discussion. Joe wondered why the City was involved because the school grounds are property of Montgomery County, not the City. Maria said the Argyle Street traffic calming and proposed sidewalk is still under consideration. Margaret asked if there has been any feedback from residents involved in the pilot refuse collection program. Maria said it has been very quiet, but there have been some of complaints that the refuse containers are too large. The City is now offering the refuse containers in three sizes. The Board expressed concerns about the large trash containers. There is limited storage in many of the town house areas. In addition, there are a number of locations with steps that would have to be traversed. Jim offered to give Maria a walking tour of NMC to highlight our areas of concerns. Maria accepted and they will meet next week.

Bette Goldman, 516 NME, was present to appeal the denial of her ACC Application to install a metal gate at the entrance to her enclosed patio. The ACC Guidelines state that gates must be made out of the same material as the fence. Bette pointed out there were several patio gates in the community constructed of wrought iron or steel. Jim mentioned there were wrought iron gates original to some homes in the community. After discussion, the Board said they would look at her proposed gate and other gates in the community and get back to her next week.

Upon a motion by Margaret and seconded by John Brown, the minutes of the March meeting were approved.

Officer & Committee Report

Pool Committee Report: Nancy Wood, Chairperson of the Pool Committee put together a list of recommendations for the Board to consider. They included painting the lower level and entrance to the clubhouse, upgrading the lighting, using planters to define the

eating areas in the pool deck, replacing the current rope barriers and several more general maintenance items. The Board agreed that all areas should be addressed. Jim will obtain proposals from painting and electrical contractors.

Election of Officers

There were three residents elected to the Board of Directors at the annual meeting held on March 14, 2006. The election of new officers occurs at the first Board meeting after the annual meeting. Margaret nominated Joe for president. Dunja seconded the nomination which passed unanimously. Joe nominated John for vice president. Margaret seconded the nomination which passed with three "yes" from votes from Joe, John and Margaret. Dunja abstained. Joe nominated Margaret for secretary/treasurer. John seconded the nomination which passed unanimously.

Administrator Report

Dues: Jim told the Board there was one resident who has not paid the first installment of the 2006 dues. The Association received a check for \$1,890.65 from a resident who had been in arrears. There is one resident remaining with an outstanding balance from prior years. That account has been turned over to the Association's attorney for collection.

Financial Review: Jim gave the Board an update on the financial status of the Association as of March 31, 2006. He presented the actual expenses year-to-date versus the budget and a reviewed the Association's Operating and Reserve Funds balances as March 31, 2006.

Pool Repairs: Jim told the Board the pool repairs were scheduled to begin the week of April 10-14. The pool will be drained and preparation started for the new plaster coat.

Jim informed the Board that a long time NMC resident, Shelia Marshall recently passed away.

Old Business

Change to covenants: Jim gave the Board a draft of the Consent Form we plan to use in asking residents to vote for the proposed change to the Covenants. Margaret suggested we put a due date on the Consent Form. Jim said he will send the Board a draft of the cover letter explaining the proposed changes. Once the cover letter and the Consent Form are approved, they will be mailed with the final invoice of the home owner's dues on April 29, 2006.

Flooring Estimates: Jim presented three estimates for the Board to consider. The prices for refinishing the clubhouse hardwood floors ranged from \$6,350. to \$7,675.25. After discussion, Margaret made a motion that we accept the proposal from Nash Floor Company for \$6,350. Joe seconded the motion which passed unanimously.

New Business

Montgomery Insurance renewal: Jim gave the Board an overview of the renewal premium for the Association's Commercial Liability, Workers Compensations and Commercial Umbrella policies. The annual premium for all policies was \$23,045. This was a 1.1% increase over the 2005 premium. After discussion, John made a motion that we accept the renewal policies from Montgomery Insurance in the amount of \$23,045. Margaret seconded the motion which passed unanimously.

Miscellaneous Items

Jim said he will be asking an engineering company to evaluate the condition of the brick retaining walls around the clubhouse. The walls are peeling paint and in some areas the glazed hard finish of the brick is popping loose from the wall.

He will also be discussing several areas of erosion in the community with a professional landscape architect.

Joe asked if the starting time of the Board meeting could change from 7:30 pm to 7:00 pm. No one present objected and was decided it would be discussed at the next Board meeting.

Joe asked if anyone had received any feedback on the absence of the International Dinner this year. Jim said he had not received any inquires. John said he had received a couple of comments expressing disappointment in the dinner not being held.

The meeting was adjourned at 9:15 pm upon a motion from Joe and seconded by John.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, MAY 4, 2006**

ATTENDEES: Joe Jordan, John Brown, Margaret Chao, Dunja Baker, Tom Revesz, Ernie Culman, Maria Broadbent from the City of Rockville and Jim Denny.

Board member not in attendance: Alex Manolatos.

Community Forum: Maria Broadbent, City of Rockville Neighborhood Service Coordinator, was present to discuss several topics with the Board. She said New Mark Commons has a new Neighborhood Services Code Enforcement Officer, Debby Scott. Debby is willing to come to a future Board meeting and discuss her role and responsibilities and how she can assist the Board. Maria said the City has received some small trash cans to be used in the automated trash collection pilot program. She suggested we request one of the smaller cans and see if it would fit behind the brick enclosures in front of many of the town homes in NMC. She suggested we write the City with our opinions on the proposed semi-automated trash collection system.

She told the Board that Maryland Avenue will be repaved from curb to curb sometime in July. There is also a proposal to install a traffic calming island on Maryland Avenue between Monument Street and Potomac Valley Road. John Brown mentioned that Fairfax City is using optical illusion traffic calming techniques and asked if the City considered their use. He also mentioned a need for a speed bump at the entrance of Dog Wood Park.

Maria mentioned there is a "hard hat" tour of Town Center project on June 3rd. The tour will begin at 9 am and leave every half hour from City Hall. Advance registration is required. She also reminded the Board that the fireworks program normally held at Richard Montgomery (RM) High School will be moved to the Montgomery College grounds this year. She also mentioned the Millennium Bike Trail circling Rockville has been completed and maps can be obtained at City Hall.

Joe asked the status of the traffic calming proposals for Argyle Street. Maria did not know the status but would get back to us. John asked the status of the proposed cell phone tower on the Julius West Middle School grounds. Maria said a public meeting was tentatively scheduled for May 24th, but that was subject to change. Ernie asked if the City has considered a bike trail along Rockville Pike.

There were not any residents present for Community Forum.

Upon a motion by John and seconded by Margaret the minutes of the April Board meeting were approved with the changes as noted.

Officer and Committee Reports

There were not any representatives from the various NMC committees present. Joe asked the status of the Lake Committee. Jim and Joe have had been corresponding with several residents who live along the lake concerning the start of an algae bloom. There are several small patches of duckweed in the lake. We chemically treated the lake for duckweed last year. The duckweed was eradicated but replaced by a different type of algae. Maria mentioned that the City has already had to treat several of their ponds this year for algae. Margaret asked if there was a person in the City we could talk to for professional advice concerning algae control. Jim mentioned the Lake Committee has not met yet this year. Joe said he will talk to Rich Schmidt.

Administrator Report

Dues: Jim reported the invoices for the second installment of the Association dues were mailed the end of April. The dues are payable June 1, 2006. There is one resident with an outstanding balance from prior years. That account has been turned over to the Association's attorney for collection.

Pool Repair: Aquatic Specialties has started repairs in preparation for the installation of the new plaster white coat. The plaster work is scheduled to begin Friday, May 5th.

Storm Water Management Summit (SWMS): Jim told the Board he attended the SWMS sponsored by the Rockville Commission on the Environment. He wanted to get the latest information on storm water management systems, products and to see how New Mark's infrastructure compared to current systems. He was also interested to see if funding for storm water management projects was available to private entities. Funding was not a topic of the summit. New Mark's erosion control efforts over the years have been effective in reducing erosion runoff into our lake and neighboring streams.

Joe and Margaret mentioned they attended the Neighborhood Learning Series program sponsored by the City of Rockville. They both attended the legal session which covered Home Owner Association Documents. They also had a chance to talk with representatives from other neighborhood associations.

Old Business

Consent Form status: As of May 4th, we have received 35 completed consent forms. There were 34 "yes" votes and one "no" vote.

ACC Resolution - Metal Gate at 516 NME: The Board members voted 5 to 1 in favor of allowing the installation of a metal gate on the front patio. The metal gate replaces a wooden gate that was storm damaged beyond repair. The only condition was that the new metal gate may not have any type of decorative ornamentation. Ernie mentioned we should move forward with the review and revision of the current ACC Guidelines. Joe said we should involve the current ACC members and announce in the newsletter our intent to review the ACC Guidelines and solicit for committee members from the community-at-large. Margaret, Tom and Dunja also volunteered to be part of the review committee.

Joe mentioned that Geoff Becker acted as Board liaison to the Tree Committee and the Lake Committee. Those duties should be reassigned to current Board members. Tom Revesz volunteered to act as liaison to the Tree Committee. Ernie said he would consider acting as liaison to the Landscape Committee. He would let us know for sure at a later time.

Change meeting time to 7:00 PM: There was a request to change the start time of the Board meeting to 7:00 pm. After discussion, it was agreed to keep the meeting start time at 7:30 pm.

New Business

Stolburg Landscaping proposals: Jim gave the Board four proposals from Stolburg Landscaping for six landscape projects in the community. The proposals totaled \$5,021. After discussion, Ernie made a motion that we accept the four proposals from Stolburg Landscaping for \$5,021. Margaret seconded the motion, which passed unanimously.

Continental Pools Re-supply Proposal: Jim gave the Board a proposal from Continental Pools to re-supply testing agents, additional chemicals, tubes and parts for chlorine pumps. The total of the proposal was \$1,812.48. After discussion, John made a motion that we accept the Continental Pools proposal for \$1,812.48. Dunja seconded the motion, which passed unanimously.

Clubhouse Painting Proposals: Jim received proposals from two contractors to paint the interior of the clubhouse, with the exception of the cathedral ceiling in the upstairs main room. The Chesapeake Finishing proposal was for \$9,295. The second proposal was from Hann & Hann Contractors. Jim was waiting for additional pricing from Hann and Hann. Their initial price was for one coat of paint. The other proposal was for two coats. Once he receives the quote for two coats of paint he will email the Board the cost for their consideration and action.

Additional items:

Dunja suggested NMC supply dog waste pick-up bags in a couple of locations throughout the community. They would be similar to the type of pole stand you see in County and State parks.

There should be an article in the newsletter telling dog owner to pick up after their pets. Also all dogs must be on leash unless they have passed the City of Rockville's "off leash" certification pass.

The meeting was adjourned at 9:35 pm upon a motion by Joe and seconded by Ernie.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, JUNE 1, 2006**

ATTENDEES: Joe Jordan, John Brown, Margaret Chao, Dunja Baker, Ernie Culman, Maria Broadbent and Debby Scott from the City of Rockville, Nancy Wood and Jim Denny.

Board member not in attendance: Tom Revesz

Community Forum: Maria Broadbent, City of Rockville Neighborhood Service Coordinator and Debby Scott, Neighborhood Services Code Enforcement Officer were present to discuss several topics with the Board.

Maria told the Board the Dogwood Park cross walks do not meet the traffic count requirement for a raised cross walk. There are steps that can be taken to improve safety at the cross walks, such as additional signs and earlier warnings to motorists that they are approaching a pedestrian crossing. Maria mentioned that she and Craig Simoneau, the Director of Public Works, would like to walk the community and note areas where special consideration would be required when the City implements a new trash collection system and schedule. She and Jim will arrange a date.

Debby Scott gave the Board two handouts prepared by the Community Enhancement and Code Enforcement department. They were a Property Maintenance Guide and Checklist and list of items the Code Enforcement inspectors use when making their rounds in the City. Their goal is to preserve property values and housing stock and to help maintain safety and good appearance of the community. Several New Mark homes have been brought to Debby's attention and she gave the Board a status of each residence.

Maria told the Board that coyotes have been confirmed as residents of Rockville.

Joe asked if we could publish the handouts in our community newsletter. Debby said she would check and get back to us.

Nancy Wood, Chairperson of the Pool Committee, was present and thanked the Board for all the improvements to the pool and clubhouse this year.

Upon a motion by Ernie and seconded by John the minutes of the May Board meeting were approved.

Officer and Committee Reports

There were not any representatives from the various NMC committees present.

Administrator Report

Dues: Jim told the Board 102 residents had not paid the second installment of the Association dues. Late letters will be mailed after June 15th to residents who are still in arrears at that time.

Pool Repairs & Clubhouse Painting: Hann & Hann completed painting the interior of the clubhouse. Aquatic Specialties finished the new cement white coat on the pool. They also installed the new guard chair stands and platforms. Continental Pools installed the new filter cartridges. Planters were installed on the pool deck to separate the eating area from the rest of the pool deck. New shower curtains, rods, soap dispensers, exterior speakers and an ice cream freezer have been installed.

Pool Opening: The pool opened on May 27 at 10:00 a.m. A group of kids were waiting in line at 7:00 a.m. to get in to the pool. We have all international staff this year. The manager has prior pool management experience. This is the first year in the U.S. for the other two life guards. John and Jim have had several meetings with the staff concerning NMC's specific requirements and general rules enforcement. Jim told the Board we have sold fifteen non-resident memberships for a total of \$6,600. A new shade structure was discussed for the shallow end of the pool. Jim has a meeting scheduled with a manufacturer's representative for a permanent type structure.

Old Business

Consent Form Status: One hundred and eighty consent forms have been returned. Two hundred and fifty six "yes" votes are required to approve the proposed amendment. There are one hundred and sixty four "yes" votes, twelve "no", one blank and three forms where the residents modified the proposed amendment. There is no time limit on when the required number of votes has to be in hand. We had asked that the consent forms be returned with the dues checks. Jim mentioned there has been an increase in

the number of residents using on line bill paying services. They no longer have to mail a check, therefore the consent form was not returned. If we have not received the required two hundred and fifty six “yes” votes by the next Board meeting, we will send follow-up letters to residents who did not respond.

Al Fisher letter: Al Fisher responded to our request for community involvement in evaluating and updating the Architectural Control Committee (ACC) Guidelines. His letter suggested we use this opportunity to consider the fundamental objectives of the ACC Committee and the Property Enhancement Committee. A copy of the letter will be sent to Richard Berman, Chairperson of the Property Enhancement Committee for his information and consideration. Al’s recommendations will be included when the initial kick off meeting is held to discuss the ACC Guideline revisions.

New Business

Bonifant Tree Service proposal: Jim gave the Board a proposal from Bonifants Tree Service for \$2,725. The proposal was for tree maintenance in eight areas of the community. After discussion, John made a motion that we accept the Bonifant proposal for \$2,725. Alex seconded the motion, which passed unanimously.

PEPCO rate increase: Jim gave the Board a notice from PEPCO announcing a rate increase of fifty three percent, effective June 1, 2006. Electricity cost in the 2006 budget was increased ten percent over 2005. We will have adequate funds to cover the electric price increase.

“New Money for Aging Amenities”: Jim gave the Board a copy of a Washington Post article that presented the way several communities are raising additional funds to cover the cost of maintaining their common amenities.

Maryland Department of Transportation (MDOT): We received a notice from MDOT announcing a public hearing on June 27th to discuss the proposed changes to MD route 28 and Viers Mill Road.

1 Bentana Way: When the property at 1 Bentana Way was sold recently, a house location survey revealed that part of the split rail fence on the corner of the lot near New Mark Esplanade and Bentana Way was built on community owned property. The seller asked for a letter from the Association granting them permission to keep the fence “as is”. After consulting with the Association’s attorney, a letter was prepared permitting the fence to remain, but NMC does not relinquish the right in the future to request removal.

Additional Items

Dunja asked if we could get the resident at 19 Bentana Way to trim the dead pine tree limbs hanging over the sidewalk. Jim will talk to the resident.

Ernie mentioned another resident received a significantly less expensive proposal to remove a large tree than the proposal he received from Bonifants Tree Service. Ernie suggested we get additional estimates for community tree work. Jim and Joe said we have solicited additional estimates for several large tree removal jobs in the past and Bonifant's Tree Service has been competitive. It was agreed, if a large tree needed to be removed in a non-emergency situation, we would solicit bids from other tree companies.

Our snow removal contractor, The Danny Sivert Company, went out of business on March 31, 2006. We should start the process of finding a new snow removal company.

Joe asked what the warranty was on the tennis court refurbishment that was completed in 2004. Several cracks have developed in the surface. Metropolitan Tennis courts appear to have sealed some of the cracks but missed several others. Jim will follow with Metropolitan Tennis.

The meeting was adjourned at 9:30 p.m. upon a motion by Margaret and seconded by John.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, JULY 6, 2006**

ATTENDEES: Joe Jordan, John Brown, Margaret Chao, Dunja Baker, Ernie Culman, Alex Manolatos, Steve Pressman, Rhonda Pressman, Maria Broadbent from the City of Rockville and Jim Denny.

Board member not in attendance: Tom Revesz

Community Forum: Maria Broadbent, City of Rockville Neighborhood Service Coordinator was present to discuss several topics with the Board. Rhonda and Steve Pressman, new resident's who live at 400 New Mark Esplanade, were present to observe the Board meeting.

Upon a motion by John and seconded by Margaret, the minutes of the June Board meeting were approved with changes as noted.

Joe asked that several topics be added to the agenda: Dead tree limbs along NME, status of snow removal proposals and tennis court repairs.

Maria gave the Board an update on several topics: The traffic island on Maryland Avenue near the intersection of Potomac Valley Road had been installed. The plantings will be installed later in the year. Maryland Avenue will be repaved some time in July. The Planning Commission meeting on the proposed mono pole cell tower to be installed on the grounds of Julius West Middle School had been postponed. Additional public discussion is required. There will be additional hardhat tours of the new Town Center project in September. There is a Zoning Revision Outline review meeting scheduled for July 27 at 7:00 pm at City Hall. There have not been any new developments in the proposed changes to Argyle Street. Margaret asked Maria if she could have Debby Scott, City of Rockville Code Enforcement Officer look at 168 NME for possible code violations.

Maria, Craig Simoneau, City of Rockville Director of Public Works and Jim walked the community on June 29th. The City's new trash collection proposals include the use of specialized containers for trash and paper recyclables in addition to the blue plastic bins currently used. The new style trash cans were tested behind several different style trash enclosures in the townhouse area to see if they were visible from the curb and can be easily moved in and out of the enclosure. There are also areas that require the receptacles to be moved either up or down a flight of stairs for curb collection. Maria

believes, that given the many different requirements of our City's resident's, there will be a menu driven trash collection program. Residents will be able to select the level of service they want.

Officer and Committee Reports

Ernie told the Board he attended the most recent Landscape Committee meeting. Several topics of discussion were: The Bradford Pear trees along New Mark Esplanade need to be replaced. They are reaching the end of their life cycle and a different species of tree should be chosen to replace them. A dogwood tree has been planted at the request of Eddie Alexander as a memorial to his daughter. Jim will meet with Eddie to discuss a plaque and dedication ceremony. There were concerns expressed about fertilizer and broadleaf weed control used along the lake bank. There is a tree over grown with poison ivy near the entrance of the 200 block of New Mark Esplanade. There is no community policy concerning the use of fertilizers and weed control products.

Administrators Report

Dues: Jim told the Board that 9 residents have not paid the second dues installment. A third reminder will be sent before the accounts are turned over to our attorney for collection. We received a check from a resident for \$1,483.52 for past dues. Jim said all past due accounts are for calendar year 2006. There are not any prior year dues outstanding.

Pool Update: Jim told the Board we had a new pool manager. The Continental Pool Company manager that began the summer was replaced during the middle of June. Joe was concerned that there was not any Board involvement and the Board was not notified in advance of the change being made. John said he, as Board representative to the Pool Committee, was informed, involved and supported the decision to replace the manager. There were disagreements between the manager, patrons and the Swim Team representative. After discussion with Continental Pool management, it was decided that both NMC and the manager needed a new start. Joe asked that in the future the entire Board be involved in this type of situation.

Jim told the Board he met with a manufacturer's representative for the company that erected the shade structure at the NIH Day Care Center on Executive Blvd. She said the delivery time would be 8 to 10 weeks and would prepare a proposal. Jim has not yet received a proposal.

Jim will research rubber matting for the entire shower room floors.

4th of July Celebration: The annual program was a success. The magician, Michael Chamberlin, was a big hit with the children. It was agreed the DJ's performance was sub par and he would not be asked to return. John said the Swim Team made over \$300 in food sales for the day.

Court Appearance – Vandalism restitution: Jim told the Board he received a Witness Summons to appear at a restitution hearing concerning an act of vandalism that occurred in New Mark Commons on September 14, 2005. He attended the hearing at the Circuit Court in Rockville. After discussion with Lynn Nixon, an attorney from the States' Attorneys office, a cost of \$135.60 was agreed to for that specific act of vandalism.

2nd quarter financial update: Jim gave the Board an update on the financial status of the Association as of June 30, 2006. He presented the actual expenses year-to-date versus the budget and reviewed the Association's Operating and Reserve Funds balances as of June 30, 2006. Joe had several questions on the Balance Sheet for the association. Jim said he would ask Monte Loeb, the Association's accountant, and get back to the Board.

Old Business

Consent Form status: Two hundred and twenty consent forms have been returned. Two hundred and fifty six "yes" votes are required to approve the proposed amendment. There are two hundred "yes" votes, sixteen "no", one blank and three forms where the residents modified the proposed amendment. There is no time limit on when the required number of votes has to be in hand. Margaret asked Jim to prepare a list of residents who had not returned the Consent Form and she will have her son distribute Consent Forms to those homes.

PEPCO bills: Jim told the Board we received the first PEPCO bills that reflected the fifty percent increase that was effective on June 1, 2006. The bills were for the period 5/24/06 to 6/26/06 and totaled \$2,463. This is approximately \$1,000 more than the same time period in 2005. Margaret mentioned that her company was part of a power co-op and would that be an option for NMC? Jim said he would look into a power co-op.

Joe asked if any progress has been made in finding a new snow removal contractor. Jim said the Stolburg Landscaping also does snow removal and would be giving us a proposal.

He also asked about the dead pine tree limbs at 19 Bentana Way. Jim said the resident had trimmed some of the lower dead branches. He will see if additional branches should be removed.

John asked if it would be possible to paint the fence around the tennis court. It was also mentioned that the sign over the tennis court entrance is old and faded and should be replaced.

New Business

Bonifant Tree proposal: Jim gave the Board a proposal from Bonifant Tree Service for \$1,675. The proposal was to remove a dead cherry tree and grind out the stump next to 902 NME and install four cables in a large maple in front of 878 NME. After discussion, the Board instructed Jim to obtain additional estimates for the tree work.

Virginia Lake Management (VLM) Proposals: Jim received three proposals from VLM. They were for a submersed aeration system, an additional fountain and a lake and fountain maintenance contract. The Board instructed Jim to forward the proposals to Rich Schmidt, Lake Committee chairperson and Richard Berman, Lake Committee member for their information and input. The Board agreed the Lake Committee must be included in any decision affecting the lake.

Hometown Landscape and Lawn Service proposal: The proposals were to raise the tree canopy near the tennis courts, and install Turf Stone walk paths at each end of the tennis courts where dirt paths have been created. Margaret mentioned she has spoken with a landscape contractor that also uses Grinnell Stone Products and we should get an additional estimate on these proposals.

Appeal of ACC denial at 152 NME: Mr. Daniel Grunberg, 152 NME, was appealing the denial by the ACC of his proposal to remove the free standing brick wall that divides his front yard. In his appeal, Mr. Grunberg proposed screening his air conditioning unit with bushes, a trellis or light screening. After discussion, the Board unanimously approved Mr. Grunberg's appeal with the stipulation that he must submit an ACC Application for any screening to be erected to hide the air conditioning unit.

Property Enhancement Reports from Richard Berman: Jim gave the Board a list of items Richard compiled based on his inspection of the community. He itemized a number of areas that need attention and identified who is responsible for correcting the problem, the homeowner or NMC. The Board agreed it was an impressive piece of work and asked Jim pass on their thanks to Richard for the effort. The Property Enhancement Form used in the past was a three part letter. Jim will send it to the Board members for their information and input if they feel any revisions are required.

Additional Items

On Thursday, July 6, Tom Revesz gave Jim his letter of resignation from the NMC Board of Directors, effective immediately.

Joe mentioned he had not received the most recent newsletter or 2006 NMC Directory. Jim will go over delivery instructions with the delivery crew. Joe also offered to publish the NMC newsletter starting with the September 2006 issue.

The meeting was adjourned at 10:05 pm upon a motion by Ernie and seconded by Alex.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, AUGUST 3, 2006**

ATTENDEES: Joe Jordan, John Brown, Margaret Chao, Dunja Baker, Ernie Culman, Richard Berman, Ken Sandin, Nancy Wood, Jim Denny, Maria Broadbent and Debbie Scott both from the City of Rockville.

Board member not in attendance: Alex Manolatos

Community Forum: Debbie Scott, City of Rockville Neighborhood Service Code Enforcement officer and Maria Broadbent, City of Rockville Neighborhood Service coordinator were present to discuss several topics with the Board. Ken Sandin, a new resident who lives at 146 New Mark Esplanade, was present to observe the Board meeting.

Debby informed the Board she has been working with several residents in the community. One resident is waiting for input from the NMC Tree Committee regarding his request to remove several trees. He also is planning on repainting his house but is waiting until the fall. He has received NMC ACC permission to repaint.

Debby inspected the rear deck that is cantilevered over the lake on a town home in the 100 block on New Mark Esplanade. She also noted a problem with the dryer vent, trash in the front courtyard and a broken light fixture.

She also responded to a report of a broken second story deck rail on a town home in the 300 block of NME. She has spoken to the home owner and they will have the deck rail replaced.

The trampoline behind 10 Tapiola Court has adequate ground cover to prevent erosion, so it is considered in compliance.

Maria Broadbent gave the Board an update on several topics: Wayne Noll, City Forrester and Jim Denny met to discuss mulch and the overall condition of the Bradford Pear trees along New Mark Esplanade. Wayne said 18-20 of the Bradford Pears along NME should be removed. Jim will ask Wayne to attend a future Board meeting. The paving of Maryland Avenue has been completed. There will be another tour of the Town Center project on September 20th. Rockville University starts again in September. The City has installed high visibility pedestrian crossing signs near the crosswalk at the entrance of Dogwood Park and will take traffic counts during the football season this fall.

Upon a motion by John and seconded by Margaret, the minutes of the July Board meeting were approved.

Officer and Committee Reports

Nancy Wood, Chairperson of the Pool Committee was present. She said we have had a good pool season so far. There were four fecal accidents during July. She also mentioned several rules need to be more strictly enforced: lap lane use and use of the diaper changing stations in the restrooms. She and Dunja asked about the possibility of removing the old brick and wood structure that was used to fill the baby pool.

Richard Berman, Chairperson of the Property Enhancement Committee and a member of the Lake Committee was present.

Richard mentioned several more items that need to be added to the list he prepared after his neighborhood inspection. They were additional signs for the clubhouse, wood chips for the walk path on top of the lake dam, painting the electric boxes, replacing several wood stair railings with metal railings and repairing an area of broken side walk.

Speaking for the Lake Committee, he informed the Board the duckweed appears to be diminishing but there are other forms of algae growing up from the bottom of the lake. He thinks the lake is "self correcting" and a good rain fall will be beneficial to the lake's health. He said we should ask Stolburg Landscaping to reduce or stop fertilizing along the lake bank. Jim will talk to Matt Stolburg.

Administrators Report

Dues: Jim told the Board that 3 residents have not paid the second dues installment. A final reminder letter will be sent before the accounts are turned over to our attorney for collection.

Wayne Noll, City Forrester meeting: Jim met with Wayne Noll on July 28th to discuss the Bradford Pear trees along NME. As mentioned earlier in the meeting, Wayne believes that 18-20 Bradford Pear trees along NME should be removed. Jim told Wayne that the NMC Board should be informed and included in discussions before any decision to remove the trees is finalized.

NMC Balance Sheet: Jim gave the Board a corrected NMC Balance Sheet and Income Statement as of June 30, 2006. There were several discrepancies found in the NMC Balance Sheets during the last Board meeting. Jim met with Mont Loeb, the Association's accountant, to go over the Balance Sheet. After review, it was determined that several expense categories were not totaling properly. Jim met with Brian Small, the Association's PC support specialist, who corrected the Balance Sheet.

Pool Update: A new circulating pump motor for the main pool was installed in early August. We sold 23 non-resident memberships this year which generated \$9,500 in additional revenue for the community.

Jim told the Board he found a product called Dri Deck to cover the shower room floors. After discussion, Margaret made a motion that the Board approve the purchase and installation of Dri Deck in the shower rooms for a cost not to exceed \$2,000. John seconded the motion which passed unanimously.

Jim told the Board the three ceiling fixtures installed in the women's shower area had performed well this summer. They are energy efficient florescent fixtures designed for wet locations. The Pool Committee recommended replacing all the fixtures in the bath rooms and shower rooms. After discussion, Margaret made a motion that the Board approve the purchase and installation of new light fixtures for the lower level of the clubhouse, not to exceed \$2,000. John seconded the motion which passed unanimously.

Old Business

Aerator Proposals: Jim gave the Board two proposals for aeration systems for the lake. One proposal was from Environmental Quality Resource Inc. (EQR) and the other from Virginia Lake Management (VLM). The EQR proposal was for \$7,370. The VLM proposal was for \$4,573. After discussion, the Board approved the proposal from VLM for \$4,573.

Turf Stone Proposals: We received two proposals to install Turf Stone walk ways at either end of the tennis courts. Hometown Landscape's proposal was for \$5,200. Stolburg Landscaping proposal was for \$4,100. After discussion, the Board approved the proposal from Stolburg Landscaping.

New Business

Snow Removal Proposals: Jim gave the Board snow removal proposals received from Stolburg Landscaping and Sivert Enterprises. After discussion, Margaret made a motion that we accept the proposal from Sivert Enterprises, subject to receiving a Certificate of Insurance from their insurance agent. John seconded the motion which passed unanimously.

Environmental Quality Resources (EQR) landscape proposal: Jim and Richard Berman met with a representative from EQR to discuss the planting at either end of the lake. EQR proposed removing the rear line of metal fencing, clearing the area around the silky dogwood bushes, create a mulch bed under the dogwoods, and plant day lilies between the existing irises. The proposal was for \$3,200. After discussion, Joe made a motion that we accept the EQR proposal. Margaret seconded the proposal which was approved by Joe, Margaret, John and Dunja. Ernie abstained.

Variance Application at 3 Vallingby Circle: Jim informed the Board the residents at 3 Vallingby Circle has filed for a rear yard setback variance for a screened-in porch. The hearing will be held on Saturday, September 9th at 9:30 am in the Mayor and Council Chambers at City Hall.

NMC 40th Anniversary: Jim received a card reminding the Association of the upcoming 40th Anniversary of New Mark Commons. Margaret offered to be the Board point of contact to assist in planning a community celebration. A notice will be included in the next newsletter asking for community input.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, SEPTEMBER 7, 2006.**

ATTENDEES: Joe Jordan, Margaret Chao, Dunja Baker, Ernie Culman, Alex Manolatos, Lori Nicely, Ron Tipton, Eric Tehrani, Diane Rundell, Chris Durso, Rhonda Gordon, Maria Broadbent from the City of Rockville and Jim Denny.

Board member not in attendance: John Brown

Community Forum: Rhonda Gordon asked the Board if they consider supporting a Special Interest night at the clubhouse. She was the Chairperson of the Special Interest group at her former community. It would be an opportunity for people to get together to share mutual interest. She and Jim will determine a date for the meeting and the announcement to be placed in the NMC newsletter.

Ron Tipton was present to appeal the Architectural Control Committees (ACC) denial of his proposed new front door. After discussion, the Board approved the proposed new door by a vote of five to one. Alex, Ernie, Lori and Dunja voted in favor of the new door. Margaret and Joe voted in opposition.

Eric Tehrani was present to appeal the Architectural Control Committees (ACC) denial of his proposed new front door. After discussion, the Board unanimously approved the proposed new front door with the condition that a kick plate would not be installed.

Joe thanked Ron and Eric for adhering to and participating in the communities ACC process.

Diane Rundell was present to discuss the new bubbler system installation in the lake. She asked if the bubbler was going to be moved closer to the corner between 114 and 116 NME. Jim said the contractor, Virginia Lake Management, had positioned the bubblers based on input from him and the Lake Committee. If it appears the bubblers are not effective in the current location, they can be moved.

Ron Tipton mentioned he thought our pool management company did an excellent job this summer.

Chris Durso, a new resident at 21 Farsta Court, mentioned the last street light on New Mark Esplanade is cycling on and off during the night. Jim said he would report the problem to the City. Chris also mentioned he thought the pool staff did a good job this summer.

Rhonda Gordon asked if the ACC was available for consultation before they submitted an ACC Application.

Maria Broadbent gave the Board an update on several topics: There will be another tour of the Town Center project on September 20th. Reservations are required, so if we are interested we should call or email her as soon as possible to reserve a spot. She said the normal storm drain opening height is six to eight inches high. If we see a storm drain with a larger opening, please report the location to the City's Public Works department. The City is planning on taking traffic counts on Monroe Street near Dogwood Park this fall during the sports season. A decision is imminent for the traffic calming proposals on Argyle Street. A grocery store has not signed a contract for the new Town Center location.

Upon a motion by Margaret and seconded by Ernie, the minutes of the August Board meeting were approved.

After Tom Revesz resignation was given to the Board at the July Board meeting, the Board asked Jim to contact several residents who had expressed interest in serving on the Board. Lori Nicely agreed to serve on the Board until the next election of Board members at the March 2007 Annual meeting. Upon a motion by Ernie and seconded by Margaret, the Board unanimously approved Lori joining the Board until the next annual meeting.

The agenda item covering the 8/30/06 email from Wayne Noll, the City Forrester was moved up for discussion while Maria was still present. The Board told Maria the removal of the Bradford Pear trees along the Esplanade would be a volatile topic in the community. In addition to the Board, our Tree and Landscape Committees need to be involved in the discussions and the entire community should be made aware of the proposal to remove the Bradford Pear trees.

Officer and Committee Reports

No Committee representatives were present at the meeting.

Administrators Report

Dues: Jim told the Board that all residents have paid their dues for 2006.

Pool Update: After discussions with Continental Pools and Aquatic Specialties, Jim suggested an alternative method of winterizing the pool this year. We would treat the pool with anti-algaecide and slow release chlorine tablets over the winter. That should minimize the need for a heavy acid wash during the spring cleaning. The acid wash greatly contributes to the deterioration of the white coat. Jim estimated the cost of the additional chemicals would be \$948. After discussion, Alex made a motion that we install the winter chemicals with the cost not to exceed \$1,000. The motion was seconded by Ernie and unanimously approved.

Jim told the Board the new lighting fixtures and shower room floor matting had been ordered. Joe asked about the lights for the entrance hall. Jim had three different style fixtures for consideration. After discussion, it was decided that Jim would order and install one of the light fixtures as a test.

Board Open House: October 14th was the initial date for the Board Open House. After discussion, it was decided that November 4th date would allow more Board members to attend. A flier announcing the new date would be distributed to the community and included in the October newsletter.

Old Business

Property Enhancement Reports: Jim told the Board he has sent out a dozen letters to homeowners detailing areas of home maintenance that need attention. He has also organized areas that are the community's responsibility. These will be grouped and vendors solicited for painting, new signs and additional clubhouse improvements.

Consent Forms: We have not received the necessary votes to pass the amendment proposed by the Board to recoup legal expenses if the Association goes to court and is successful in enforcing compliance with the Associations' Covenants. Jim gave the Board a draft of a letter that will be sent to residents who have not replied to the initial request. We require 256 "yes" votes to make the change. To date, 200 "yes", 16 "no" and 3 altered Consent Forms have been received.

Memorial Tree: A tree planted in memory of Eddie Alexander's daughter has been planted in the open area behind the clubhouse. Jim and Eddie met and finalized the wording for the plaque to be installed near the tree. Once the plaque and stone are received, a date for the memorial service will be determined.

New Business

2007 Continental Pool Contract & Policies: Jim told the Board we received a proposal from Continental Pools for 2007. It was for \$42,120 which is a five percent increase over the 2006 contract. Jim suggested we obtain additional proposals from other pool management companies. The 2007 Continental Policy document was a new addition to the renewal process. Jim and the Pool Committee will be meeting later in September. Jim will distribute the document before the meeting and solicit input from the Pool Committee members.

Community Clean up: A fall community clean up was suggested. October 14th was considered because a community event had previously been scheduled for that date. Since Richard Berman had been instrumental in the last two clean up efforts, Jim said he would talk to him before scheduling a date.

Director's & Officers policy renewal: Jim gave the Board a renewal proposal for the Director's and Officer's Policy. The policy was for \$2,347 which was a three percent increase over 2005. After discussion, Ernie made a motion that we accept the proposal from Associated Insurance for \$2,347. The motion was seconded by Lori and unanimously approved.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, OCTOBER 5, 2006.**

ATTENDEES: John Brown, Margaret Chao, Dunja Baker, Ernie Culman, Alex Manolatos, Chris Durso and Jim Denny.

Board member not in attendance: Joe Jordan, Lori Nicely

Community Forum: Chris Durso was present to appeal the Architectural Control Committees (ACC) denial of his proposed new front door. After discussion, Margaret made a motion that the new door be approved. John seconded the motion which passed unanimously.

Upon a motion by Margaret and seconded by John, the minutes of the September Board meeting were approved with the changes noted.

Officer and Committee Reports

John mentioned there is a need for additional lighting on the path leading from New Mark Esplanade to Dogwood Park on Monroe Street. Jim will ask Maria Broadbent who is responsible for maintaining the path. The tree on the Monroe Street end of the path needs to be trimmed away from the street light. The reflective signs need to be attached to the bollards at the end of New Mark Esplanade.

Ernie said he was surprised to see that the parking rates in Town Center had been raised from fifty cents to one dollar per hour and the effective time changed from 5 pm to 10 pm. Jim will ask Maria Broadbent what the current meter rate and effective hours are and when the new rates will go into effect.

Administrators Report

Dues: Jim told the Board that all residents have paid their dues for 2006.

Pool Committee Recommendations: Jim gave the Board a list of recommendations put together by the Pool Committee at their mid September meeting. Most of the items could be addressed next year before the pool opens. There were three items the dealt with hours of operation which could effect the 2007 contract price. They were the extension of the hours while school is in session, patrons not leaving promptly at 9 pm and the roles and responsibilities of the life guards at home swim meets. Ernie suggested we ask Continental Pools for a proposal that reflects the new hours and compare it to the proposal we received earlier.

It was also agreed we need to document the process for setting up and restoring the pool deck for home swim meets. Continental Pools may have some suggestions on how to deal with patrons not leaving on time.

Lake Update: Jim told the Board there have been two Aqua Shade applications in an attempt to get rid of the algae in the lake. The Aqua Shade darkens the lake water which diminishes the amount of sunlight that reaches the algae growing from the lake bottom. We plan to be more proactive in fighting algae next spring.

Tree Meeting w/ the City on 9/25/06: Margaret told the Board that she, Ernie, Jim, Stewart McKenzie and Linda Huntington met with Wayne Noll, the City Forrester and Rob Orndorff, the City Horticulturalist to discuss the Bradford Pear trees along New Mark Esplanade. Wayne Noll believes the combination of the Bradford Pear's age, severe lean and known weakness are a liability and present a hazard. Mr. Noll said he would identify and mark the tree that present the greatest hazard. These would be the trees he would like to remove this winter. We discussed the time line for removal, stump grinding and replanting. There was discussion on what species would replace the Bradford Pears. A shade tolerant species, possibly Kousa dogwood. Rob Orndorff was willing to work with the community on the timing and selection of the replacement trees. Wayne would like to remove the trees this winter and replant in the spring of 2007.

Third quarter financial review: Jim gave the Board an update on the financial status of the Association as of September 30, 2006. He presented the actual expenses year-to-date versus the budget and reviewed the Association's Operating and Reserve Funds balances as of September 30, 2006.

Board Open House: Jim told the Board we have received twenty six RSVPs for the November 4th event. Alex agreed to work with Joe in finding a caterer for the event.

Old Business

Consent Forms: We have not received the necessary votes to pass the amendment proposed by the Board to recoup legal expenses if the Association goes to court and is successful in enforcing compliance with the Associations' Covenants. We require 256 "yes" votes to make the change. To date, 239 "yes", 20 "no" and 4 altered Consent Forms have been received. We need 17 more "yes" votes to approve the proposed change.

Vandalism Restitution: Jim informed the Board that he received a check for \$135.60 from the State of Maryland Restitution Unit. The payment covers the expenses we incurred to clean up after one incident of vandalism in the community.

New Business

2007 Stolburg Landscaping proposal: Jim told the Board we are in the last year of a three year contract with Stolburg Landscaping. Matt Stolburg submitted a new three year proposal for 2007 thru 2009. There would be an increase of four percent from 2006 to 2007, a three percent increase from 2007 to 2008 and a two percent increase from 2008 to 2009. The 2006 contact price is \$38,349. The 2007 four percent increase is \$1,534. There is a provision to cancel the contract by either party upon thirty days written notice. Margaret suggested we solicit additional proposals.

New Mailing address for NMC: The General Services Administration (GSA) announced the closing of the old Post Office in downtown Rockville. Jim opened a new post office box for the Association at the main post office on North Washington Street. The Postmaster subsequently announced that the old post office customers would be able to retain their current post office box number. Jim will cancel the new post office box.

Additional items:

Margaret delivered the fliers announcing the change in date for the Board Open House. She noticed the deteriorating condition of a number of homes in the community. Jim mentioned he requested Debby Scott's, City of Rockville Neighbor Services Code Enforcement Officer, assistance in getting the grass cut and papers picked up at 4 Letchworth Circle.

The meeting was adjourned at 9:30 pm.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, NOVEMBER 2, 2006.**

ATTENDEES: John Brown, Margaret Chao, Alex Manolatos, Joe Jordan, Lori Nicely, June Whaun, Maria Broadbent and Jim Denny.

Board member not in attendance: Dunja Baker, Ernie Culman

Community Forum: June Whaun was present to share her concerns about the City's trash pilot program. The large containers could present a challenge for many residents who have to move the receptacles up and down steps. Marie Broadbent mentioned the Public Works Department had visited NMC and noted the steps and trash can enclosures in front of the townhouses. The Public Works Department is still working on their recommendation to the Mayor and Council.

June received a proposal from Kuipers Landscaping & Waterproofing for the installation of a French Drain system behind her home to control storm water runoff. The runoff has been a problem since June moved in to her home. Jim and Joe mentioned other homes in that row have also experienced flooding from storm water runoff. Jim will contact Kuipers and ask for a proposal that addresses all the runoff concerns.

Maria Broadbent, City of Rockville Neighborhood Service Coordinator, was present to discuss several topics with the Board. The new library is opening on November 21st. She is not sure what is planned for the old library site. There is still space available for the coming Hard Hat Tour of Town Center. The height has been reduced on the cell phone mono pole proposed for the Julius West Middle School property. Wayne Noll, City Forester, marked the thirty Bradford Pear trees the City would like to remove. Jim mentioned to Maria this was the first meeting of the NMC Board of Directors since the Bradford Pear trees had been marked for removal. There will be an article in the New Mark Newsletter about the tree removal. Alex mentioned we need to receive a schedule from the City for the removal and planting of the replacement trees. An NMC home owner asked the City if it permitted operating a hair care salon in a private residence. The City zoning regulations do permit home hair salons, but residents are also governed by their home owner's association documents.

Upon a motion by Margaret and seconded by Alex, the minutes of the October Board meeting were approved.

Officer and Committee Reports

John asked Maria to have Debby Scott, City of Rockville Neighborhood Service Code Enforcement officer, investigate the trash accumulated in front of 4 Radburn Court.

Administrators Report

2007 Proposed Budget: Jim presented the 2007 Proposed Budget to the Board. The amount the Association's dues can be raised is capped by our Bylaws. It is limited to the increase in the Consumer Price Index (CPI) from September of the previous year to the current September for the Washington/Baltimore metropolitan area. This year the CPI increase was 2.8%. The proposed budget reflects the 2.8% increase. This equates to a dues increase of \$22 to \$25 per household for the entire year. After discussion, Alex made a motion, seconded by Joe, that the proposed 2007 Budget be published in the November/December newsletter as presented. The motion was approved unanimously. Lori mentioned several items that we may want to consider as capital expenditures in 2007. They were: new pool fence, tennis court fence and new clubhouse windows.

Board Open House: The open house will be held this coming Saturday. Alex, Billie Jordan and Jim will meet to set up the clubhouse before the event.

Legal Services Agreement: We needed a new legal service agreement with Hileman and Associates signed by Joe. Our previous agreement was with Chadwick and Washington.

Special Interest Group meeting: Rhonda Gordon hosted the Special Interest group meeting on October 18th. There was interest expressed for using the clubhouse for a community Game Night and an Arts and Craft Club.

Old Business

Consent Forms: We received the necessary votes to pass the amendment proposed by the Board to recoup legal expenses. We received 256 "yes" votes. Jim will forward the documents to the Association's attorney.

Three years ago a change was approved to eliminate the three-year waiting period before a modification to our documents can go into effect. Jim will ask Betty Hileman what steps need to be taken to update the Association's documents.

New Business

Pool Management proposals: We received proposals from three pool management companies. The proposals were from Continental Pools, U.S. Aquatics and Century Pool Management. Jim will review the contracts and report back to the Board at the December Board meeting.

Landscape proposals: We received proposals from Stolburg Landscaping, Rupert Nurseries and The Brickman Group. The proposals ranged from \$39,883 to \$111,139 per year. After discussion, John made a motion that we accept the Stolburg Landscaping proposal for \$39,883. Lori seconded the motion, which passed unanimously.

Tree Maintenance proposals: We received proposals from Bonifant Tree Service, Greenskeeper Environmental and Bartlett Tree Experts for pruning or removal of twenty five specific trees. The bids ranged from \$7,385 to \$16,310. After discussion, Margaret made a motion authorizing Jim to spend \$6,975 on tree maintenance, to be split between the two low bidders. Alex seconded the motion, which passed unanimously.

Additional items:

Place an article in the newsletter soliciting volunteers to help plan and coordinate the NMC 40th Anniversary celebration next year. Ask if anyone has pictures of the community from the 60s and 70s they would be willing to let us copy for a video history of NMC.

The meeting was adjourned at 9:50 pm.

**NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, DECEMBER 7, 2006.**

ATTENDEES: John Brown, Margaret Chao, Joe Jordan, Lori Nicely, Ernie Culman, Mary Lee, and Jim Denny.

Board members not in attendance: Dunja Baker, Alex Manolatos

Community Forum: Mary Lee was present to share her concerns about the City's plan to replant trees along New Mark Esplanade. The City has marked thirty Bradford Pear trees for removal this winter. They plan on grinding out the stumps and planting new trees this spring. She feels the Kousa Dogwood which had been mentioned as a possible replacement is not a suitable selection. She asked that we get more selections from the City. In addition, more detailed information about size, bloom color, foliage and fall leaf color. Jim mentioned Rob Orndorff, the City Horticulturalist, is willing to meet with the community. Jim will coordinate a meeting with Rob, the Landscape and Tree Committee chairpersons and their members.

Upon a motion by John Brown and seconded by Margaret Chao, the minutes of the November Board meeting were approved.

Officer and Committee Reports

Ernie mentioned he attended the latest meeting of the Landscape Committee.

Administrators Report

2007 Proposed Budget: Jim presented the 2007 Proposed Budget to the Board. He mentioned that he has not received any questions or comments from the community concerning the proposed budget. None of the Board members present had received any comments or concerns about the budget. Jim presented the projected 2006 Year-End expenses with actual expenses as of November 30, 2006. He is projecting a surplus this year. There is \$3,782 greater income than expected and expenses are \$3,954 less than expected. The total projected surplus will be \$7,736. Joe proposed the 2007 Budget line item labeled Bonus be increased from \$1,068 to \$2,000. After discussion, Joe made a motion that the Bonus line be changed from \$1,068 to \$2,000. Ernie seconded the motion which was passed unanimously. After further discussion, Margaret made a motion to approve the 2007 Budget with the previous motion incorporated. John seconded the motion which passed unanimously.

Board Open House: The Open House was a great success. Jim gave the Board a breakdown of expenses for the event. The total expenses were \$2,325.24.

Graffiti – Lori and Jim mentioned there had been several new instances of graffiti in the community. A large spray painted sign was on the wood privacy fence fronting on Maryland Avenue. The homeowner was unaware of the graffiti until Jim spoke to him about it. He said he would work on removing the graffiti.

Lake – Jim has received several comments about the unattractive weeds growing along both ends the lake bank. This past year the weeds (Beggars Tick) did a good job of hiding the metal fence installed along the biologists. Jim plans on having the weeds cut close to the ground this winter.

Old Business

Pool Management proposals: We received proposals from three pool management companies. There was discussion on extending the pool hours of operation at the beginning and end of the pool season. It was agreed that we would ask for a quote on extending the hours at the end of the season. Jim and Margaret said they would meet with Continental Pools management and try to negotiate a lower price increase for 2007.

New Business

Electric Advantage proposal: Jim presented a proposal for a new street light pole. The light pole on the peninsula between 236 and 238 NME corroded just below ground level and fell over. The electrical contractor has a temporary brace holding the pole in place. Jim and the contractor recommend installing a direct bury fiberglass pole as a replacement rather than using another aluminum pole. After discussion, Ernie made a motion that we accept the proposal from Electric Advantage to install a new fiberglass direct bury pole for \$1,067. Margaret seconded the motion which passed unanimously.

Monte Loeb – Letter of Understanding: We received the Engagement Letter from Monte Loeb CPA. Mr. Loeb is the Association's accountant. He presented his proposed fee for conducting the 2006 audit and preparing our corporate tax returns. The fee for 2007 will be \$6,100 which represents a three percent or \$180 increase over 2006. After discussion, John made a motion that we accept Mr. Loeb's proposal for 2007 for \$6,100. Ernie seconded the motion which passed unanimously.

Washingtonian Article: Jim gave the Board an article from the December issue of the Washingtonian magazine titled “Old Reliables”. They listed companies that had been in business for a long time in the Washington area and were recommended. Bonifant Tree Service, one of our primary tree maintenance contractors, was the only tree care contractor mentioned.

246 NME: Linda Huntington, who lives at 246 NME, wrote the Board expressing her concern about the Architectural Control Committee (ACC) Application that had been approved for her neighbors at 242 NME. The application approved the installation of two windows on the south facing wall of their home and one window on the east wall of their home. Linda is concerned about the south facing windows. She feels the new windows will intrude on her privacy while she is using her living room. After discussion, the Board agreed the application and the new windows at 242 NME did not violate any ACC guidelines.

Additional items:

Lori Nicely obtained estimates from several contractors to replace the fences around the swimming pool, basketball court and tennis courts. She is also meeting with contractors to discuss replacing windows and exterior doors in the clubhouse. Not all the contractors had submitted proposals in time for the December Board meeting. Jim gave Lori the names of several contractors.

Joe mentioned he would like to see more content in the NMC Newsletter. He said he has tried to get community involvement for the last several years with little success. He also said we should try to measure website utilization.

The meeting was adjourned at 9:15 pm.