NEW MARK COMMONS HOMES ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, OCTOBER 1, 2015

ATTENDEES: Dorie Mangan, John Daroff, Ellen Stein, John Hansman, Judy Rudolph, Joe Jordan, Mincy Neil and Jim Denny.

Absent Board members: John Brown, Jeff Miller and Magnus Turesson.

Community Forum:
Judy Rudolph was present to discuss several concerns she has with the community. She would like the Board to review two Architectural Control Committee (ACC) approvals granted to the owners of 802 and 804 NME concerning repairs and replacement decks on the rear of these residences. She believes the deck are not compatible to the design of the original balconies and colors are not appropriate. There is a large, white box truck parked in the clubhouse parking lot. Is it permitted? It should be parked in a space that so it is less noticeable. The brown taxi cab should be parked perpendicular in a parking space, not taking up two spaces as it is now. The piece of equipment under the blue tarp in the parking lot needs to be removed. A problem in the 800 block townhouse parking lot is that one resident has 8 to 10 automobiles which monopolizes non assigned parking spaces. She would like to see the Property Maintenance committee reactivated. Joe Jordan mentioned he shared Judy's concerns and had several items he would like to mention. He would like to see the newsletter frequency return to 10 issues a year. Trash is still a concern. Residents place large items or piles of trash out and do not call for the City for a special pick up. The minutes of the Board meeting need to be posted to the website in a timelier basis.

Mincy Neil mentioned she was encouraged by the number of young families she saw at the pool this summer. She said the Adult Pool Party held this summer a great event. She suggested we have events that appeal to younger resident and residents with kids.

Officer and Committee Reports: None

Upon a motion by Ellen and seconded by Dorie, the minutes of the September 3, 2015 Board meeting were unanimously approved.

<u>Administrators Report</u>
Dues: Jim informed the Board that 7 residents were not current with their HOA dues. Four residents had balances from prior years and three residents were in arrears for 2015 only. The Association has liens in place for two of the residences with prior year balances, one is being sold by Montgomery County for failure to pay real estate taxes and we instructed our attorney to start Phase1 collection of the fourth residence. Jim will follow up with the residents who are in arrears for 2015.

Pool update: Pool winterization is underway. The cover was installed shortly after closing. We do this in order to keep tree leaves out of the pool. Community Pool Service will be adding additional chemicals to prevent algae and excessive staining of the pool white plaster coat later this month.

168 NME: Since New Mark Commons had a lien in place on the property when it was sold at a tax sale, we received notice from Montgomery County Department of Finance that the tax sale foreclosure of the property resulted in a surplus balance of funds. Our attorney completed a Claim Form for NMC seeking reimbursement for past due HOA dues and legal fees totaling $5,979.88.

Board of Director's Open House: From the Board members who responded to the doodle.com scheduling application, October 17th was selected the date for the Open House.

Third quarter financial review: Due to the length of the meeting, the financial review was re-scheduled for the November 5th Board meeting.

Old Business

Clubhouse parking lot: Jim gave the Board some photo that Dorie had taken of the various vehicle that have been using the clubhouse parking lot. After discussion, Dorie made a motion that the large white bus be prohibited from using the NMC Clubhouse parking lot. The motion was seconded by Ellen and passed unanimously. The yellow 24' box truck had been removed from the CH parking by meeting time. It was requested the taxi cab owner be instructed to park in a parking space instead of occupying two parking spaces.

Jim requested our attorney review a proposed contract with Milestone Towing & Transport for impound towing. This contract will allow NMC to remove vehicles from community owned property that are in violation of our parking rules and regulations. Towing will be a last resort after we have followed the process outlined in our Parking Rules and Regulations.

Titan Tree Care proposal: Jim told the Board he received an additional estimate from another contractor for the removal of the two largest trees in the Titan Tree Care proposal. The bid was $210 higher for the Titan proposal. Jim approved the Titan Tree Care proposal. The leaning black locust tree behind 200 NME, item number 7 on the proposal, was identified as the first tree to be removed. It appeared to be leaning more toward 200 NME and needed to be removed as soon as possible. The tree was successfully removed without incident.

Jordan's backyard: Jim gave the Board a letter from the Jordan's attorney, Lynn Parker Perry of LPP Law. Jim told the Board he had also forwarded a copy to the Association's attorney, Brian Bichy. John Daroff had prepared a revised License Agreement between the Association and the Jordan's for the Boards review. He mentioned that since the Jordan's had retained legal counsel, it would be appropriate for our attorney to reply to the LPP Law letter with any offer from the Board. Jim will forward the most recent license agreement to Brian Bichy for review and arrange a meeting with Brian to discuss the Board's reply to LPP Law.

On October 8, 2015 there was a conference call with our attorney, Brian Bichy. On the call from New Mark Commons were John Hansman, Jeff Miller, Magnus Turesson and Jim Denny. Based on the conversation in the meeting, Brian Bichy prepared a draft of a reply on October 9, 2015 and sent to the Board for their review. The final letter was approved by the Board on October 15m 2015 and sent to LPP Law.

John Hansman - late fee analysis: John met with Jim to determine the time it takes to prepare the correspondence required in collecting past due accounts. His analysis affirmed the $25 late fee that has been the Association's practice is a conservative recovery of the cost incurred. After discussion, John proposed that the Board affirm that we continue to bill a late fee for delinquent HOA dues. Ellen made a motion to affirm that New Mark Commons Homes Association will continue to charge a $25 for each HOA dues payment not made on time. John Daroff seconded the motion, which passed unanimously.

New Business

Sustainable Energy Systems (SES) proposal: Jim gave the Board a proposal from SES for the design and installation of a 21.95 kW solar photovoltaic (PV) system to be installed on NMC Clubhouse roof. SES would provide the labor, design, engineering, obtain the permits and installation of the PV array for a cost, after Rockville Solar discount, of $69,126.75. New Mark Commons does not qualify for the Maryland Solar grant. After discussion, the Board decided we would not pursue a PV system at this time. The community is anticipating a lake dredging project and it would be prudent to save funds for that effort. The Board can revisit a PV system in the future. It is expected that the cost of PV systems will continue to drop and the efficiency improve in the future.

Stolburg Landscaping LLC - proposals: Jim gave the Board four proposals from Stolburg Landscaping for additional maintenance, drainage and concrete repair in the community.
1. Estimate # 2161. Connect downspouts at 314 NME to 4" PVC pipe, approximately 62' long and bring out toward the rear of the property. Then connect 4" PVC to a 6" PVC pipe, approximately 100' long and tie into an existing concrete catch basin behind 300 to 314 NME for $2,250. The cost to be split between the homeowner and NMC. After discussion, Dorie made a motion that we accept estimate # 2161 for $2,250. John Daroff seconded the motion, which passed unanimously.
2. Estimate # 2163. Replace concrete pipe under the sidewalk near 838 NME, remove sidewalk trip hazard near 852-854 NME and install 30 linear feet of curbing near 518 NME for $3,850. After discussion, Ellen made a motion that we accept estimate # 2163 for $3,850. John Daroff seconded the motion, which passed unanimously.
3. Estimate # 2164. Repoint the cap stones and loose wall stones at the lake steps. To be done on a time and material cost, not to exceed $1,000. After discussion, John Daroff made a motion that we accept estimate # 2164 for a 'not to exceed $1,000'. Ellen seconded the motion, which passed unanimously.
4. Estimate # 2165. There were two items being considered on this estimate. The first item is to cut back the rusted wire from the rip rap at the lake edge bordering the lake walking path on a time and material cost 'not to exceed $400'. The second item is to do a renewal pruning of the over grown pyrachantha near the lake dam for $350. After discussion, Dorie made a motion that we accept estimate # 2165 for 'not to exceed $750. John Hansman seconded the motion, which passed unanimously.