

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, April 4, 2019

New Mark Commons Clubhouse, 7:00 p.m.

Minutes Taken by Shireen Ambush

Attendees

Board Members: Alex Belida, Kathleen Moran, Ellen Stein, David Sloane, Karin Boychyn and Joe Jordan.

Abaris Community Management: Shireen Ambush and Henry Leung

1. Call to Order

Alex Belida called the meeting to order at 7:01 p.m.

2. Community Forum 1 and Board Response

Jim Denny – Jim advised the Board that there have been only 4 or 5 rentals of the clubhouse facility in the last half of last year. He suggested that the Board considers doing away with the 2-tier rental fee and make it a flat \$350 fee all year round.

Anne Cobb - Anne commented on what she believed to be a fairness/equity issue regarding the circle in front of her single-family home not being repaved when the townhouse lots were repaved. She shares the circle with 3 other homeowners, and this should have been included in the repaving project and she wants a rebate of Association dues that she paid towards the repaving project.

Michal Komlosh – Michal commented that she recently received a collection notice for delinquent dues and stated that she had not received any prior notification of the dues billing.

Raj Gupta – The post office mail delivery service is becoming very unreliable with mail being lost and mis-delivered to the wrong address frequently. This constant mis-delivery of mail may be due to frequent changes in the mail carrier assigned to our route. Raj stated that he has documented the mistakes that he has witnessed and filed complaints with the US Postmaster, and he suggests that other homeowners do the same.

Board Response:

Kathleen Moran commented that the plats in the single-family home section of the community confirm that there is no asphalt owned by the Homes Association. The shared cul-de-sacs and driveways are considered private property and part of the plats of the adjacent single-family homes that surround them.

Shireen Ambush responded and outlined Abaris Realty's billing procedures that are followed before any homeowner's account is turned over to the Association's collection attorney which includes 2 past due reminder notices sent by mail. The notices must contain certain

legal language to be in compliance with the Fair Debt Collection Act since Abaris Realty is considered a bill collector on behalf of the Homes Association. These federal law requirements dictate the manner in which we must notify homeowners of past due assessments. Shireen also strongly suggested that all homeowners make their payments electronically instead of relying on the US Postal Service mail deliver to get your payments in on time.

3. Agenda and Prior Meeting Minutes

A. **Board Meeting Agenda, 4-4-19:** Joe Jordan moved to approve the agenda as amended. The motion was seconded by Kathleen Moran and carried unanimously.

B. **Board Meeting Minutes, 3-7-19:** Kathleen Moran moved to approve the minutes as amended. Karin Boychyn seconded the motion which carried unanimously.

C. **Board Organizational Meeting Minutes 3-14-19:** Ellen Stein moved to approve the minutes as amended. Karin Boychyn seconded the motion which carried unanimously.

D. **2019 Annual Meeting Minutes 3-11-19:** David Sloane moved to provisionally approve the minutes and allow for them to be posted on the website in draft form until they are officially approved at the next Annual meeting. Joe Jordan seconded the motion which carried unanimously.

4. Appeals

None

5. Committee Reports

Architectural Control Committee (ACC) –

David Sloane reported that the ACC met on Monday evening and reviewed and approved 10 applications of which one involved drainage corrections at multiple homes. Letters were sent by Abaris at the request of the ACC to owners who replaced the roof on their homes without prior ACC approval using what appears to be non-conforming materials. The ACC is investigating alternate roofing shingles manufactured by GAF “Hickory Timberline Series” and will request that the Board revise the approved ACC guidelines to add this as an approved option for roof replacement materials so homeowners have a choice between this and the original Certaineed “Oakwood” roof shingle approved standard. David Sloane moved to revise the ACC Guidelines to list the GAF “Hickory Timberline Series” as an approved roofing shingle. The motion was seconded by Alex Belida and carried with 5 Board members voting in favor and one Board member abstaining (Joe Jordan)

The long running dispute with the owner of 13 Tapiola Court regarding the unauthorized shed will be addressed via the filing of a CCOC complaint by the Association.

The ACC will conduct a community-wide survey to document conditions in order to obtain compliance upon the resale of homes. Kathleen Moran commends the ACC for this effort.

Communications Committee (CC) – Pat Reber reported that an email blast will be sent announcing the opportunity for residents to advertise in the A to Z directory pursuant to our agreement with A to Z in exchange for free publishing of the directory which will be done around the end of August. The newsletter will be issued early next weekend, April 14th due to the Easter holiday so articles are due ASAP. There will be a reminder in the next newsletter about the requirement to obtain ACC approval before making any exterior modifications and also announcing the upcoming community survey the ACC will be conducting. A reminder will also be included for residents to notify us of any changes in their household via the resident form so we can keep our directory up-to-date.

Landscape Committee (LC) – Ellen Stein reported as follows:

- The Lake Committee volunteers have requested permission to rebuild the lake pier on their own as a volunteer effort. The Board discussed the request and the liability and safety risks associated with it and agreed unanimously to deny it for these reasons.
- There has been no response from the tree contractor who provided the lowest price for the removal of the tree in front of 246 New Mark Esplanade that is half on the Association's property and half on the homeowner's property. The Board directed Abaris to contact Prestige Tree which is the next highest bidder from the lowest bid to request the same information and if they comply, submit the information to the homeowner for final concurrence with the contract before proceeding with execution.
- At 506 New Mark Esplanade there is a dead tulip poplar tree at the entrance drive. Prestige Tree should be asked for a price to remove that tree in conjunction with the 246 NME removal.
- The Committee conducted a walk-around with AW Landscapes and identified several areas in need of enhancement. After consideration of the entire proposal, the Board voted unanimously to approve 9 items out of the list for a total cost of \$4880 and \$1280.
- The Board discussed AW Landscape's proposal to install wood chips along the trails throughout the community and felt the \$2200 price was too high. Abaris will contact AW Landscapes to negotiate a lower price.
- Abaris has obtained proposals for sand clean-up in the townhouse parking lots. Alex Belida suggested that neighbors get together with brooms and blowers to clean up the sand as a voluntary effort to save money. The Board agreed with this suggestion and will incorporate it as part of the community clean-up.
- There is a settlement issue along the City owned sidewalk along New Mark Esplanade where there is a drop-off from the sidewalk that could be a pedestrian tripping hazard. A formal complaint will be sent to the City from Abaris.
- At 248-252 New Mark Esplanade there is an access issue and the Committee approved AW Landscapes to perform trimming for clearance purposes.

Pool Committee – Joe Jordan reported that the Committee will meet with John Currie of Pool Personnel on April 17th to discuss what we need to do to get a smooth start to this year’s pool season. Swim team updates will be discussed. The outside pool membership roster has been updated with 35 confirmed members that includes a total of 138 individual people which averages to 4 persons per family. The annual outside membership fee for the 2019 season will be \$625. Karin Boychyn will be the Board liaison with Stephanie who has agreed to help coordinate the 4th of July pool party.

Social Committee – None

6. Treasurer’s Report

Kathleen Moran thanked Abaris for hosting the finance meeting with the Board members to help us understand and interpret the monthly financial statements produced by the Abaris accounting department. We are in good shape with roughly \$900,000 in the bank and very few delinquencies which Abaris is on top of. We all now have a much better understanding of the finances. Alex Belida commented that he thought the finance meeting was very educational. The Board inquired as to how many rental units we have in the community. Abaris will provide the Board with a current owner’s roster. An alternative billing address suggests that the owner lives off-site and the unit may be rented.

7. Management Report

Shireen Ambush presented the report from Abaris:

A. Architect Feedback on Clubhouse Handicap Access – Shireen Ambush explained that RFP letters were sent to several architectural firms in our area to request proposals to design renovations to the clubhouse in order to make it handicap accessible. Several firms have declined to bid on the project and those that visited the facility confirmed that this will be a very costly endeavor involving the installation of an elevator. Such a large project cannot currently be afforded and for this reason, the Board agreed unanimously to defer it to a later date and remove this from the 2019 capital improvements project list.

B. Drainage and Erosion Capital Improvement Project 2019 Priorities - The Board discussed and agreed on the following areas to be top priorities for drainage and erosion control in 2019:

1. 300-314 New Mark Esplanade – constant flooding of the area due to small under-performing drain that often gets clogged
2. 338 New Mark Esplanade – shoring up/retaining wall to improve drainage and stop erosion directly behind the rear patio.
3. 276 New Mark Esplanade – shoring up/retaining wall to improve drainage and stop erosion
4. 508 & 516 New Mark Esplanade – gulley to the lake has eroded

The Board requested that management obtain bids from engineering firms to write a scope of work and specifications for these specific areas on which we can obtain bids from contractors to implement the suggested corrections.

C. **Falcon Engineering Payment Request** - The Board reviewed the request for payment from Falcon Engineering in the amount of \$6120 representing the progress payment for the oversight of the repaving project. Kathleen Moran moved to approve payment from the line of credit. The motion was seconded by Joe Jordan and carried unanimously.

8. Old Business

A. None

9. New Business

A. Joe Jordan suggested that the Board consider not including the official vote tally/count when announcing future Board election results as it can be embarrassing to the candidates who do not win the election. We should also consider ways to encourage owners to vote given the very low participation in this year's election: 142 ballots of which 69 were townhomes and 73 were single family homes.

B. David Sloane suggested adding the I-270 expansion to a future meeting agenda to see if we as a community should take a position on this issue one way or another. Raj Gupta offered to draft a position statement to present to the Board for consideration at the next meeting. The next public hearing will be held on April 25th at 6:30 pm at Wootton High School.

10. Community Forum 2

A. Raj Gupta voiced his strong opinion that election announcements should be transparent and should absolutely list the number of votes each running candidate received.

B. Pat Reber seconded Raj Gupta's opinion on the election results and voiced her opinion to report the full voting results to all homeowners following the election. She also stated that the community cannot pay to pave streets that are owned by single family homeowners and are not owned by the Association as requested by a single-family homeowner earlier this evening.

11. Executive Session

A. Joe Jordan moved to enter into Executive Session to discuss individual owner's assessment account and to consult with staff personnel, consultants, attorneys, board members, or other persons in connection with pending or potential litigation or other legal matters. The motion was seconded by David Sloane and carried unanimously.

12. Adjournment

Ellen Stein made a motion to adjourn the meeting. Kathleen Moran seconded and the motion which carried unanimously. Meeting adjourned at 9:13 p.m.