

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, October 1, 2020

7:00 p.m.

Minutes Taken by Shireen Ambush

Attendees

Board Members: Alex Belida, Kathleen Moran, Karin Boychyn, Ron Tipton and Zoe Wood

Abaris Community Management: Shireen Ambush, Henry Leung, Glen Charles and Glen Mammen

1. Call to Order

Kathleen Moran called the meeting to order at 7:06 p.m.

2. Presentation from Solitude Lake

John Phelps from Solitude Lake was invited to participate in tonight's meeting to answer any questions regarding the proposal that has been submitted for hydro raking the lake to remove roughly 90% of sediment without having to dewater the lake. The hydro raking is done on a floating barge which scoops and captures up to 90% of the sediment in the lake. It can be used to chip away at the sediment in the future so it does not accumulate too much. Ron Tipton conveyed the opinion of the City which is that the lake is healthy and in good condition and the water depth has hardly diminished since the 2015 bathymetric study. John Phelps advised that the longer you wait, the more it will cost and there is a distinction between the ecological health of the lake and the City's opinion. An inquiry was made as to whether the sediment can be used to address erosion issues at other areas on the property. John Phelps advised that the material is highly organic and not suitable for stabilization. Although it may be possible, it's not worth the effort. Solitude has identified a location not too far from New Mark Commons for the sediment disposal. John Phelps further advised that the lake is a basin that must manage stormwater. As it fills with sediment, it's ability to manage stormwater is reduced. The lake is an ecosystem and hydro raking is far less disruptive on wildlife than dredging. Karin Boychyn inquired as to what permits are required for hydro raking. John Phelps responded that we must notify the City for any erosion control measures but confirmed that no permit is necessary. Zoe Wood inquired as to what we can do to maintain the health of the lake if we don't dredge or hydro rake for a while. John Phelps advised that his proposal expires at the end of year and the rates continue to go up over time. It's also harder to keep the lake algae-free when sediment builds up which will require algicide treatments. Kathleen Moran thanked John Phelps for participating in the meeting and answering our questions regarding the proposal from Solitude Lake.

3. Community Forum 1 and Board Response

Alisa Crews-Levi stated that the website contains outdated information on the erosion issue. There is nothing indicating what final decision was made and what the costs were based on the current project that is underway. The website looks unfinished and needs improvement.

Arthur Katz commented that the environmental impact process is on going for the I-270 expansion project. Comments can be submitted until November 9, 2020. This project will have a significant impact on the school. Major community groups are opposed to this project. This is a public project that is using private contractors and involves having 7 lanes going in either direction. Arthur Katz asked if the Board will send a statement on behalf of the community prior to the November 9th comment deadline.

Joe Jordan inquired about the proposed 2021 budget and that there have been no public discussions on the budget. He suggested having a homeowner forum sometime in October and postponing the formal adoption of the budget to the December meeting. Joe Jordan also inquired as to why rip rap rocks were installed along the bike path near 276 New Mark Esplanade instead of more decorative river rocks. In his opinion, rip rap is ugly, and this is a highly visible location. The grounds have been damaged by heavy equipment which needs to be repaired.

Karen Crossley commented that the ongoing drainage project is negatively affecting the area between the 800 and 200-300 blocks of New Mark Esplanade, Water has been pooling there for months and adding the swale has increased the water flow and pooling. She is upset about trees being removed which has ruined her view. She has a loss of greenspace and fears that pooling water will attract mosquitoes. The area is currently a mud slick and an underground conduit is needed to take water from the swale to the drain.

Pat Reber commented on the maintenance of the various beds of rip rap rocks located throughout the community. They are not being maintained and some have been overgrown with weeds and tree saplings and sediment build-up. Homeowner volunteers would weed these rock beds, but they are not being weeded now.

Board Response

Kathleen Moran responded that the Board will look into the website updates that need to be made on the drainage project. She asked if Arthur Katz could provide information on where to find the I-270 expansion project details and where to send comments so that homeowners can be notified of the upcoming comment deadline. The proposed 2021 budget will be discussed later this evening and she appreciates Joe Jordan's comments on the erosion project. Karen Crossley has been very diligent in providing her comments to the Board since the project has been underway and the engineer has worked up a solution that will address her concerns. Kathleen Moran stated that she has been one of those volunteers who has cleaned up the rip rap beds throughout the community in the past and perhaps it is time to ask for assistance from our landscape contractor.

Ron Tipton thanked Arthur Katz for the information and suggested that the Board should consider sending a statement on the I-270 expansion project on behalf of New Mark Commons. We don't need this expensive project given the COVID situation that has changed/reduced traffic.

Zoe Wood thanked homeowners for their comments and will volunteer to help clean up the rip rap beds.

Kathleen Moran thanked all homeowners for their comments.

Karin Boychyn inquired if there will be a fall clean-up this year. The Landscape Committee should be consulted on that.

Alex Belida stated that on May 3, 2019 we issued a statement in opposition to the I-270 expansion project which can be re-submitted for the upcoming environmental impact deadline. The erosion project has been discussed at several previous Board meetings and email broadcasts have been sent. The Board is considering additional drainage corrections.

4. Agenda and Prior Meeting Minutes

Board Meeting Agenda 10-1-20: The Board added the following items to the agenda:

- Becht Engineering Proposal for Lake Bridge

Karin Boychyn moved to adopt the agenda as amended. The motion was seconded by Alex Belida and carried unanimously.

Board Meeting Minutes 9-3-20: Alex Belida moved to approve the minutes as amended. Zoe Wood seconded the motion which carried unanimously.

5. Appeals

None

6. Hearing

None

Committee Reports

Architectural Control Committee (ACC) –

Kathleen Moran reported the ACC met on September 7, 2020 and approved 15 applications. The ACC letters regarding front door violations are being sent out by Abaris shortly.

Communications Committee –

Alex Belida reported that Bill Holdsworth is working to correct the problem with resident access log in on the website and the issue seems to be resolved now. Alex noted that his home phone number listed in the directory is incorrect. The number has been corrected in the on-line version.

Landscape Committee –

Ron Tipton reported that at the last meeting of the Committee, they approved improvements at 218-228 New Mark Esplanade common areas. Alex Belida accused him of blatant self-dealing this plan since he lives adjacent to this area. Ron stated that the whole idea was to have a plan for this area which was initially a

volunteer effort. He does not agree with Alex's comments just because he lives in close proximity to this area. It is a common area in need of improvement and Ron agreed to recuse himself from discussing and voting on this matter.

JP Muller reported that the origin of interest in this area was from Ron Tipton and his neighbors. Lots of weeds and erosion led to a meeting with Alan Walcoff from AW Landscapes to evaluate what could be done. The most important driving factor is the ongoing issue of the deteriorated retaining wall at 228 New Mark Esplanade. This led the Committee to start thinking about larger issues impacting the most highly visible areas in New Mark Commons. The next step is to address this in a more comprehensive manner for the entire area. AW suggested a landscape designer to prepare a plan. The Committee received samples of the plans the designer has put together for other communities. The renderings allow us to visualize what the final plan will look like.

Kathleen Moran commented that the Design Plan is a long-term planning tool.

Alex Belida commented that he never doubted any other Board member's integrity but noted that we cannot give any appearance of impropriety. The proposal is for \$2350 to create a design for only one area that benefits only a few homes. The area looks fine as it is now. We need to focus on essential needs such as safety and liability, not our wants. The unspent tree budget can get carried into next year and it is not necessary to spend it all if we don't have to. There is a long list of capital improvements we still have to deal with.

Karin Boychyn commented that she sees both points of view and agrees we should focus on safety and erosion. She shares concerns about the cost of the design plan but agrees that we do need a plan.

Kathleen Moran strongly disagrees that we don't need a plan as it is a minimal investment to address an area that has failing steps and retaining wall.

Shireen Ambush commented on what items are included in a reserve study and suggested that our next study provide an allowance for drainage and erosion problems that come up.

The Board agreed to table any decision on the design plan proposal at this time.

Ron Tipton reported that the Committee obtained 2 bids for needed tree work. The proposal from S&P Tree came in roughly \$3000 lower than the other bid from Titan Tree. There are 15 areas where trimming/removal is needed. We still have \$35,000 left in this year's tree budget and the proposal from S&P Tree is \$10,000. Ron Tipton moved to accept the proposal from S&P Tree. Alex Belida asked if we have verified property lines to confirm these are trees on NMC property and do they pose a threat to people or property? Kathleen Moran confirmed that the property lines have in fact been verified and JP Muller confirmed that this is the most urgent list of immediate tree items compared to a much longer list. The motion was seconded by Karin Boychyn and carried unanimously.

Lake Committee –

Zoe Wood commented that the Committee discussed a 5-year hydro raking project with Solitude Lake which will cost roughly \$15,000 every 5 years. Doing this more frequently costs less and maintains the health of the lake. Going forward, we should consider this maintenance approach to lake sediment removal. If we

become a private stormwater facility that would be very helpful. The total cost of the hydro raking proposal is \$348,000.

Ron Tipton commented that he supports dredging the lake in the near future and his opinion has changed after Kathleen Moran's report of the current lake depths compared to what they were 5 years ago when the bathymetric study was performed. Not much sediment has built up since then and he is not convinced we need to do anything at this time.

Zoe Wood suggested adding vegetation along the banks which helps to reduce algae.

Lori Nicely commented that we are paying for a Band-Aid approach to control algae. We can do hydro raking a little at a time incrementally. In February 2019, she put forth a proposal to the Board to refurbish the lake piers for a cost of \$20,000 using trex material or \$12,000 using pressure treated wood. She is requesting the Board to consider this project once again. She also requested that the Board consider having the walls of the lake power washed. She contacted the vendor who did the power washing 12 years ago for a cost of \$9000 and they are willing to honor the same price now. They will use a boat to access the walls.

The draft design for the lake signs is still being worked on and the Committee will be presenting a proposal to the Board soon. The signs that are there new were bought by members of the Committee.

Alex Belida thanked the Committee for doing a superb job. He appreciates their passion for wanting to improve the lake. We are discussing repairing of the lake bridge which is more of a priority than the piers and will be a costly project. Resident should not expect the lake to be more than a stormwater management basin.

Karin Boychyn wants the Committee's suggestions for lake vegetation and inquired how hydro raking is different than dredging. Zoe Wood responded that hydro raking removes up to 90% of the sediment without emptying the lake. Kathleen Moran suggested dedicating time at a future meeting to discuss the lake.

Pool Committee –

Kathleen Moran reported that the Committee met on September 22, 2020 to evaluate the 2020 season. They will make a recommendation on the registration system we will use for the 2021 season at the next Board meeting.

Governance Committee –

Kathleen Moran stated that we need a plan on how to discuss the draft documents submitted by the Committee before the end of October so we can report on it at the November meeting.

Welcome/Social Committee –

Karin Boychyn reported that the Welcome Committee is still receiving regular notifications from Abaris whenever new owners purchase and there has been a lot of turnover in the community this year. We are looking for feedback from new residents on the Welcome Package. Kathleen Moran commented that historically we have held open houses to welcome new neighbors, but we can't do it now due to COVID-19.

7. Treasurer's Report

Karin Boychyn reported the Association has roughly 1.3 million dollars in cash on hand and currently owes approximately \$600,000 on the loan. We have not collected as much revenue as we budgeted for, but we also have not spent in other areas such as entertainment, utilities, snow removal and tree care. Currently we are \$60,000 under budget year-to-date and we are in good shape. We have spent roughly \$80,000 from reserves so far this year.

The proposed 2021 budget reflects no increase in the dues. The swim team is asking for a higher budget as they had a few years ago plus a caregiver fee. Kathleen Moran reminded that the amount was reduced by \$800 to pay for trash removal during the summer months when the pool is open. Kathleen Moran stated that the proposed 2021 budget will be sent out to all homeowners tomorrow.

The final 2019 audit report from Goldklang Group has been received and will be posted on the website.

The Board inquired how much they will save on interest if the loan is pre-paid down. Karin Boychyn will confirm the amount the Board wants to pre-pay on the principle and Shireen Ambush will contact the bank to confirm what the savings would be on the interest.

Management Report

Shireen Ambush presented the Management Report from Abaris:

- A. **Vehicle Damage to Garage Building** – The pool lifeguard's vehicle accidentally rolled into and hit the garage building and went through one of the garage doors. The door was forced into track to get the car out. The vehicle owner has filed a claim with their vehicle insurance for the damages. Abaris will follow up to have Becht Engineering conduct an inspection to determine if any structural damage was caused to the building and will work with the insurance claim adjuster to get payment for all damages.
- B. **RV Parking Request** – The Board discussed the request from a townhouse resident for permission to have an RV parked in one of the parking spaces for 3 days for his mother who will be visiting him and staying in the RV. The Board unanimously agreed to grant permission provided that the RV is parked in a separate space from the guest's vehicle and that only one of them is parked directly in front of the home at a time.
- C. **Dues Survey** – A total of 116 responses have been received so far and the results have been tabulated. The Board will discuss the results when they meet with the Governance Committee. The Executive Summary of the results will be put in the next newsletter.
- D. **Becht Engineering Retaining Wall Report** – The Board reviewed the report from Becht on the cracked concrete retaining wall in the 300 block of NME. The report confirmed that there is no structural concern, and the crack is more of an aesthetic issue, not a structural issue. The Board agreed that no action will be taken at this time due to other more important priority projects.

E. **Abaris Realty Management Agreement** – The Board reviewed the renewal Addendum presented by Abaris Realty for a 15-month period from October 1, 2020 through December 31, 2021. Karin Boychyn moved to accept the Addendum. The motion was seconded by Alex Belida and carried unanimously.

F. **AW Landscapes Drainage Project** – The Board reviewed Becht Engineering’s September 11th assessment of the drainage project following massive rainfalls and they documented photos from residents and AW Landscapes. There is a large tee in the direct path of the water flow. AW and Becht recommended additional measures in the area between the 800 and 300 blocks of NME for \$25,200 that has an \$1800 upgrade option. Kathleen Moran walked the area with the engineer who developed the solution. The Board agreed unanimously that it was a good investment to approve the option to upgrade materials to segmented stone instead of wood timbers. Alex Belida moved to approve the proposal to include the upgrade option. The motion was seconded by Zoe Wood and carried unanimously.

G. **Lake Retaining Wall**- The engineer from Becht looked at the retaining wall and provided a proposal for \$7800 to stabilize the timber wall in the lowest section. The Board agreed to table any decision at this time.

H. **Concrete Head Walls** – AW Landscape has offered to use stone for the concrete headwalls which will be much more aesthetically pleasing. The costs for the upgraded are \$1500, \$2400 and \$1400. Zoe Wood moved to approve the upgrade. The motion was seconded by Alex Belida and carried unanimously.

I. **Path Lights** – The Board discussed the second proposal obtained from Kolb Electric to replace the underground wiring that services the path lights. Jim Denny suggested accepting the proposal from Powe Systems Electric which was lower in cost. Karin Boychyn moved to accept the proposal from PSE. The motion was seconded by Ron Tipton and carried unanimously.

J. **Vehicle Accident**- Shireen Ambush updated the Board on the status of the claim filed with State Farm Insurance who insures the vehicle that hit the garage building. Becht Engineering recently inspected the building and confirmed that no structural damage was caused. Abaris is still working with the insurance adjuster to have them pay for replacing both doors even though only one was damaged. The reason is that the original doors are no longer manufactured, and we have a right to demand matching doors.

K. **Lake Bridge** – Shireen Ambush reported that Palmer Brothers has confirmed that the City will require a commercial permit for the bridge repairs which requires engineer stamped drawings. The estimated cost of the repairs is \$20,000. Becht has provided a proposal for \$5000 to provide the City required drawings. Zoe Wood agreed to contact the Chief of Permits for the City to see if this requirement can be waived. Jim Denny confirmed that he originally spoke with Robert Purkie at the City who initially said that a residential permit was required but he later changed his mind and told Palmer Brothers that a commercial permit is required. The Board agreed to table any decision until Zoe makes contact with the City.

8. Board Vacancies

A total of 7 candidates have come forward expressing interest to fill the vacancies on the Board. Kathleen Moran moved to appoint Debbie Mesmer and Samuel Scheib to fill the 2 vacant positions until the March 2021 election. Zoe Wood seconded the motion which carried unanimously.

9. Old Business

Karin Boychyn reported that the Julius West Group met recently, and they are happy with the lights and there are no parking problems. All neighbors have come together. The meetings will be held for the next 6 months and Karin will participate to represent NMC.

10. New Business

None

11. Community Forum 2

None

12. Adjournment

Karin Boychyn made a motion to adjourn the meeting. Zoe Wood seconded and the motion which carried unanimously. Meeting adjourned at 9:32 p.m.