

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, March 4, 2021

7:00 p.m.

Minutes Taken by Shireen Ambush

Attendees

Board Members: Alex Belida, Kathleen Moran, Karin Boychyn, Ron Tipton, Debbie Mesmer, and Samuel Scheib

Abaris Community Management: Shireen Ambush, Glen Charles

Call to Order

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

1. Candidate Forum

- A. Alex Belida stated that NMC has gone through some difficult times and painful dues increases which were unavoidable but necessary in order to fund the repaving of the parking lots and address major drainage and erosion issues throughout the community. It's time to consider reducing the dues and doing away with the old dues formula. There should be a strict cap on future dues increases by the Board without a vote of owners.
- B. Sam Scheib stated that he was shocked by the dues increase and wants to make sure the funds are spent wisely. He was recruited to the Board by Karin Boychyn and is happy to run for re-election for the benefit of the community.
- C. Lisa Halvorson stated that she is a 7-year resident and wants to give back to the community. She was not surprised by the dues increase and agrees that NMC has great amenities that are expensive to maintain.
- D. Joe Jordan stated that he decided to run for the Board when he saw that only 3 candidates were running for 5 open seats. Important projects require a heavy workload that may be too difficult for 5 Board members. He sent the Board an email last week stating his intent to run as a write-in candidate. It's important for the Board to have representation from the townhomes and the single-family homes. He has served a total of 9 years on the Board previously and resigned in 2019 for personal reasons which are behind him now. He is the sole original member of the Governance Committee and is also a member of the Pool Committee and supports Alex Belida's comments on reducing the dues.

2. Questions for Candidates

- A. Saven Wilkins asked each of the candidates to explain how we can encourage civil discourse during these divided times and how can we negotiate or facilitate communication?
 1. Alex Belida responded that the Board always strives for unanimous decisions with solutions we can present to the community that reflect our joint opinions. We must represent the entire community, not each section. We should not split ourselves apart and instead, should work on behalf of the entire community as a whole.

2. Sam Scheib stated that he was surprised by unanimous Board decisions and hoped for more diversity but ultimately, it's a positive thing that we are acting on the neighborhood's interests. He was originally against capping the dues but agrees with Alex's opinion now due to the perspective of potential buyers.

3. Lisa Halvorson agrees with the other opinions that have been stated. She thanked Pat Reber for terrific communications and suggested we keep trying for reasonable compromises. Unanimous decisions may not be achieved on all topics.

4. Joe Jordan associates with the comments made so far and stated that we are one community and must be respectful of each other's opinions.

Kathleen Moran thanked everyone for participating in the Candidate Forum.

3. Community Forum 1 and Board Response

Winnie Herman inquired as to how the 5th position on the Board will be filled if only 4 candidates are running.

Board Response

Kathleen Moran advised that the election procedures will be reviewed later on in the meeting. Ron Tipton advised that if we don't have another nominee, the Board can fill the vacancy by appointment until the next Annual meeting.

4. Agenda and Prior Meeting Minutes

Board Meeting Agenda 3-4-21: Alex Belida moved to approve the agenda. The motion was seconded by Karin Boychyn and carried unanimously.

Board Meeting Minutes 2-4-21: Alex Belida moved to approve the minutes as amended. Karin Boychyn seconded the motion which carried unanimously.

5. Appeals

None

6. Hearing

None

Committee Reports

Architectural Control Committee (ACC) –

Kathleen Moran reported the ACC met last Monday and approved 8 applications and reviewed a list of possible enforcement priorities.

Communications Committee –

Pat Reber reported that she sent the Committee's Annual report for the upcoming Annual meeting to the Board and Abaris. It was a big effort to work out the virtual elections and the regular mail is very slow in reaching everyone. Kathleen Moran has placed a ballot box at her home and the community was notified of that. We are hoping to obtain the 25% quorum for the Annual meeting and the Committee is working to get the newsletter sent out soon.

Landscape Committee –

Ron Tipton noted that the Committee is not bringing forth any proposals for the Board's consideration at this time. Last week a walk-around was conducted with the City landscape representatives and the Committee raised several issues including types of replacement trees, deer population, non-native plants and vine removal from trees. The spring and fall landscape days have not been scheduled due to COVID-19 but we hope to schedule the spring event for Saturday, May 1st with a rain date on the following Saturday. The Committee will come up with a series of projects for small groups. Ron stated that it has been great working with the Board, and he will continue serving on the Landscape Committee and a plan will be presented to the Board for consideration at the next meeting.

The Board voted unanimously to approve the proposal from AW Landscapes for various landscape/grounds related enhancements.

Lake Committee –

None

Pool Committee –

Sam Scheib reported that the Committee had a training last Monday with Member Splash, the new on-line pool registration company to learn how the new system works. The Committee is also drafting a notice to the community explaining how to register on the new system. The Committee is considering a new guest policy and they want the guest fees to stay the same. The Committee recommends allowing the same number of outside pool memberships as in 2019 and 2020 for this year's pool season. Karin Boychyn moved to approve the Committee's recommendation to allow the same number of outside pool memberships as were allowed in 2019 and 2020. The motion was seconded by Sam Scheib and carried unanimously.

Governance Committee –

Raj Gupta reported that the Committee sent a memo last weekend to the Board. The Covenants are on hold due to the dues provision. The Bylaws should be finalized by mid-2021. Raj asked the Board to consider separating the Bylaws from the Declaration in order to speed up the review and finalization of the Bylaws so they can be distributed to all owners. He encouraged the Board to submit their comments on the Bylaws ASAP. The Committee is currently in a holding pattern. Alex Belida commented that Debbie Mesmer sent several questions, and we are still waiting on insurance and financial information. The Board has extensively finished the Bylaw review. We should not revise these documents in haste, so we get it right the first time. Kathleen Moran agreed that this is a major project and the Board unanimously agreed to make the Bylaws a priority.

Welcome/Social Committee –

None

7. Treasurer’s Report

Karin Boychyn reported on the January 2021 financial statement. We have collected lots of dues already despite mail delays. NMC has approximately 1.1 million in cash and owes roughly \$592,000 on the loan. We are on budget with the exception of tree removals that were done in December but paid in January.

Management Report

Shireen Ambush presented the Management Report from Abaris:

A. **City of Rockville Stormwater Fee Credit** – Shireen Ambush reported that no further information has been received from the City on how NMC can qualify for the stormwater fee credit starting this year. She suggested a follow-up letter be sent to the City inquiring on next steps to ensure that NMC takes whatever action is necessary to receive the credit starting this year. The Board unanimously agreed with Shireen’s suggestion and asked her to draft a follow-up letter for Kathleen Moran’s review and approval.

B. **Annual Meeting and Board Elections** – Kathleen Moran reported that Abaris has received 44 proxies so far and Kathleen has received 42. We need at least 96 to meet the quorum requirement so she encouraged everyone to gather more proxies from their neighbors between now and the meeting date. Board members plan to go door to door over the weekend to gather as many proxies as possible. The virtual election requires that we keep the ballot box open for 3 business days following the Annual meeting for ballots to be submitted. The inspectors of election will count the votes after the 3-day period has passed and the election results will be announced by email and posted on the website.

C. **Governance Committee Charter Revision** – The Board discussed revising the Charter to do away with the requirement for a Board member to be on the Committee. It was agreed to wait until after the election takes place so no action will be taken at this time to revise the Charter.

8. Old Business

None

9. New Business

None

10. Community Forum 2

Jim Denny inquired about how many outside pool memberships will be permitted and will the annual fee remain the same. The Board agreed unanimously that it will be the same number as allowed in 2019 and 2020 and the fee will remain the same as 2020.

Lisa Halvorson inquired why we allow any outside pool memberships aside from the financial advantage. Kathleen Moran advised that many of the outside pool memberships are swim team members. Lisa suggested that the dues payment reminders should only be sent to those who have not yet paid and not to those that have paid their dues already. Abaris will look into this and get back to Lisa.

Savin Wilkins thanked Pat Reber for her “Get the Vote Out” effort and will help gather more proxies to reach the quorum.

11. Executive Session

Consistent with the authority under Section 11B-111 of the Maryland Homeowners Association Act, Ron Tipton moved to go into Executive Session for the following purposes: (1) Consultation with legal counsel on legal matters and (2) discussion of individual owner assessment accounts. The motion was seconded by Alex Belida and carried unanimously.

12. Adjournment

Karin Boychyn made a motion to adjourn the Board meeting which was seconded by Debbie Mesmer following the conclusion of the Executive Session. The meeting adjourned at 9:15 p.m.