

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, September 2, 2021

7:00 p.m.

Minutes Taken by Kaitlyn Ambush

Attendees

Board Members: Alex Belida, Kathleen Moran, Karin Boychyn, Samuel Scheib, Timothy Petros, Lisa Halvorson and Joe Jordan

Abaris Community Management: Henry Leung, Kaitlyn Ambush, and Glen Charles

Call to Order

Kathleen Moran called the meeting to order at 7:03 p.m.

1. Community Forum 1 and Board Response

Jennifer Jackson thanked the ACC for being very responsive throughout her approval process. Jim Denny reported that the lake fountain is currently operating at 25%, but this usually happens after a heavy rain. Abaris confirmed they will contact Solitude Lake to look at the fountain. Alex Belida informed the Board that he received a letter in the mail, from ClickPay, indicating that all future HOA payments be mailed to an address in Florida. Abaris confirmed that the letter was a legitimate letter from ClickPay, and the new Florida address is correct. Abaris will also share the notice with Pat Reber and the Communications Committee.

Board Response

Kathleen Moran thanked Jennifer Jackson for her comments and that her response will be noted to the ACC Committee.

2. Agenda and Prior Meeting Minutes

Board Meeting Agenda 9-2-21: Kathleen Moran noted the agenda being approved is Draft #3, which has been distributed to the Board via email. Karin Boychyn moved to approve the Draft #3 agenda. The motion was seconded by Alex Belida and carried unanimously.

Board Meeting Minutes 8-5-21: Joe Jordan moved to approve the minutes as amended by himself. Karin Boychyn seconded the motion which was carried unanimously.

3. Appeals

None

4. Hearing

None

5. Old/New Business

EV Charging Station Policy and Discussion with Legal Counsel

The Board discussed the lengthy policy that Ruth Katz has provided to the Board for the EV Charging stations. The Board discussed the possibility to reduce the length of the policy and the involvement of the ACC Committee to work alongside legal counsel to draft the policy and an application. Alex Belida moved to approve the policy for the EV Charging Station installation along with an application. Joe Jordan seconded the motion, which was carried unanimously by the Board. The Board also agreed to draft an executive summary to the residents on how the EV Charging Station will be a good fit for New Mark Commons. The ACC and Communications Committees agreed to work together to draft a summary for Board review.

HVAC Maintenance Proposals for the Clubhouse

The Board discussed the three proposals that were presented for the clubhouse HVAC maintenance. Jim Denny advised the Board that he was able to meet with all three contractors to go over their proposals and walk the clubhouse. Karin Boychyn made a motion to approve the proposal from Advantage Air. Alex Belida seconded the motion, which was carried unanimously.

Bayland Lake Survey

The Board discussed and acknowledged the upcoming survey that will be completed by Bayland and the necessity to complete tasks 1-6, at a total cost of \$59,200, to meet the states requirement for the lake. The Board approved the completion of the survey over email. Trees will be labeled on September 13th for a survey area, and the survey will be completed on September 20th. The Communications Committee will draft a notice to community explaining the survey and any tagged trees are part of the lake survey, not because they are planned to be taken down.

Solitude Lake Sediment and Water Testing / Communicating Lake Concerns

The Board approved, via email, to have Solitude perform the sediment and water quality testing for the lake. Abaris will share the results with the Board as soon as they are received. The Board discussed how to communicate concerns regarding the lake to the community. Karin voiced her support for Tim's email in that the Board does not need to send out blasts to address every concern regarding the lake. The Board will notify the community when there is information to report, but if anyone feels uncomfortable, they have the right to stay clear of the lake.

6. Committee Reports

Architectural Control Committee (ACC) –

Tim Petros stated that John Hansman would like more clarification from Ruth Katz on the EV Charging Stations. The Committee was hoping for a written statement or form, that would be distributed to residents that use the stations and would be a signed acknowledgement and understanding of the EV Charging station rules. The ACC suggests directly meeting with Ruth Katz to have better understanding of the Insurance side of the charging stations.

Communications Committee –

Alex Belida reported that the committee will be meeting next Wednesday to discuss Abaris' Website Proposal and possibly upgrading the current website for New Mark Commons. The Committee has been approached by Abaris to arrange a conference call with Greg Lobring, Director of Abaris' Website Department.

Landscape Committee –

Kathleen confirmed that the Landscape Committee has met and have constant ideas proposed to them, but do not have an update at this time. JP Muller confirmed that the committee is going to spend more time walking around the community to embody the spirit of the Landscape Committee and have more presence in the community.

Lake Committee –

Kathleen Moran reported that the Lake Committee has met, and their biggest concern is the algae bloom in the lake, Solitude Lake's plan, and communications. This is an agenda item for Board discussion. Karin Boychyn commented that Saven and Joe Jordan have asked Abaris for a copy of the current contract but were told there is no contract for 2021. Henry Leung confirmed that Abaris does not have a 2021 service contract, but we do have a prior contract that indicates the once-a-month cleaning. Jim Denny recalls prior servicing was done twice-a-month. Karin Boychyn requests a copy of the current contract, and the report of services New Mark Commons is receiving from Solitude Lake.

Pool Committee –

None.

Governance Committee –

Joe Jordan reported that Brian Bichy sent his response in review of the Bylaws. The Committee will meet this month to discuss this latest draft.

The Board had previously asked Abaris to make an assessment proposal based on the cost of maintaining the Townhouse parking lots over 25 years. Shireen Ambush has received the needed pricing information from A.B. Veirs and does not recommend the Board pursue the assessment concept wherein there is a fixed value assigned to represent an annual Townhouse owner charge to support that capital item based on cost projections made in 2021. Shireen no longer supports that specific approach because of the volatility of related costs, and instead recommends a model where the annual sum charged to TH owners for this capital expense is recalculated on an annual basis to reflect current costs. Karin Boychyn commented that she understands Shireen's standpoint, but that we can also clearly identify this as a townhouse expense. Sam Scheib commented that an annual evaluation of the costs is excessive - maybe every five years is more cost effective? Kathleen Moran agrees with Sam Scheib and confirmed that the language can be modified. Kathleen Moran asked the Board whether Abaris should then develop the option where operating and reserves expenses are equally divided amongst all New Mark Commons residents, except the costs for maintaining town house parking lots, which are exclusively separated and assessed to only the townhouse owners. After a request for clarification about what "developing" the option would entail, Kathleen clarified to the Board that language would be provided for tracking and allocating costs. All Board members agreed that it was not necessary to ask Abaris to do more to develop the proposed approach at this time.

Welcome/Social Committee –

None.

7. Treasurer's Report

Karin Boychyn reported that we currently owe a little over \$500,000 on the loan. We are more in-line with the budget this month but are on the low-side for Utilities since that is paid at the end of the month. Per Joe Jordan's comments on overspending on Legal, Karin Boychyn believes we are ok for now.

Karin confirmed that October will be a good time to do landscape enhancement work.

Karin reviewed balances in the reserve fund and the UME fund as of July 30, 2021.

The Board discussed the proposed 2022 budget that was provided by Abaris and their priority to avoid an increase in the dues. The Board agreed to lower the Legal expense line item to \$27,000.

The Board discussed the HVAC expense line item and the different proposals at hand for the new clubhouse HVAC system. Jim Denny stated that he has met with all contractors and all the proposals were overpriced. Jim recommended to go with GAC. The Board agreed to a \$500 placeholder, until the service contract is received from GAC.

The Board discussed the snow removal line item and agreed to lower the 2022 budget number to \$20,000.

The Board discussed the Grounds Landscaping, Enhancement, and Tree Care line items. Karin suggested budgeting \$5,000 for both Grounds Landscaping and Grounds Enhancements, and \$30,000 for tree care since all line items have never been overspent in the past years and if underspent this year, we will still have the money left over. Alex, Sam, Karin, Tim, and Joe agree with Karin's suggestion. Lisa and Kathleen did not agree to the decrease as it is too low and restrictive.

The Board discussed Abaris' Inspections Department proposal for 2022 and budgeting for it for 2022. Kathleen and Alex voiced their support for the proposal if the ACC Committee agrees. Tim confirmed the ACC would be happy to see this process go through. Joe Jordan inquired if the inspections criteria contain only ACC violations, or does it include previous violation letter citations? Abaris confirmed that the Board determines the Inspections criteria, and it can include maintenance violations as well. Alex Belida moved to include Abaris' Inspections Department proposal expense on the 2022 budget. Karin seconded the motion, and the motion was carried 6 to 1 with Joe Jordan opposed..

The Board discussed the possibility of providing a COVID relief refund with the excess funds. Abaris and Kathleen suggest seeking legal advice due to the possible conflicts that could arise with existing owners and new owners receiving the refund. Four Board members voted in favor of the refund and three Board Members voted to seek legal and/or accounting advice on what else can be done with the excess funds.

Karin Boychyn made a motion to approve the proposed 2022 Budget at the October meeting. Alex seconded the motion which was carried unanimously by the Board.

8. Management Report

None.

9. Community Forum 2

Debbie Mesmer commented that wood debris had collected on the grates of the lake riser, and Abaris should request that Solitude check the riser to see if the debris is a problem.

Jim Denny clarified that there are 185 not 189 townhomes. The New Mark Commons community consists of 185 townhomes and 199 detached homes. All the documents from the Magnus Home Inspection were saved on a Google Docs sheet and could be a good source for the ACC and Inspections Department. Jim also shared that he met with a representative from Bayland, and they confirmed the dates that Kathleen provided earlier to conduct the survey. Jim inquired which portions of the townhome sections will be affected by the EV Charging Station implementation.

Lori Nicely commented on the lake and the recent algae blooms. Lori described the lake condition to be the worst it has been in 18 years and even after treatments, the lake looks worse than before. Lori inquired why an incremental servicing of the sediment cannot be done. Abaris confirmed that the lake maintenance is on an annual schedule.

Meghan echoed Lori's concerns regarding the lake and suggested the Board install a sign to stop residents/ pet owners from coming near the lake.

Savin Wilkins supported Meghan and Lori's comments regarding the lake and inquired why the extra funds cannot be used to pay of any community debt. Savin also offered an example of a cover page for the EV Charging Station policy from his friend in the neighboring community.

10. Adjournment

Karin Boychyn made a motion to adjourn the Board meeting which was seconded by Tim Petros. The meeting adjourned at 9:09 p.m.