

NEW MARK COMMONS HOMES ASSOCIATION

BOARD OF DIRECTORS MEETING

Thursday, November 4, 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: Shireen Ambush and Glen Charles

Call to Order

Kathleen Moran called the meeting to order at 7:02 p.m.

1. Community Forum 1 and Board Response

Jennifer Jackson thanked JP Muller and the Landscape Committee for organizing the event this Saturday.

Pat Reber commented that Emily and Gabe Meyer did a great job on Halloween! Pat suffered an injury to her wrist so she may be slow at responding to emails while she is recovering.

Ron Tipton commented that the landscape in NMC is a huge asset to the community. He thanked the Board for their service which is challenging and time consuming.

Board Response

Kathleen Moran thanked newcomers for joining the meeting and welcomed everyone's comments.

2. Agenda and Prior Meeting Minutes

Board Meeting Agenda 11-4-21: There were no changes to the agenda. Joe Jordan moved the approve the agenda as presented. The motion was seconded by Timothy Petros and carried unanimously.

Board Meeting Minutes 10-7-21: Alex Belida moved the approve the minutes as amended. Joe Jordan seconded the motion which was carried unanimously.

3. Appeals

None

4. Hearing

None

5. Committee Reports

Architectural Control Committee (ACC) –

Timothy Petros reported that the ACC met on November 1, 2021. They discussed the unkempt look of 2 homes that have been reported. Abaris was instructed to notify these owners of proper upkeep and maintenance issues needed on their properties. Shireen Ambush suggested that any issues involving safety or security hazards should be reported to the City of Rockville for immediate response and Abaris will continue to send violation letters at the request of the ACC whenever necessary.

Rita Molyneaux recognized John Hansman for his years of service on the ACC. Kathleen Moran noted that she nominated John to the City for recognition last year.

Communications Committee –

Pat Reber reported that the deadline for articles is November 14, 2021 and the digital edition will be distributed on November 20, 2021.

Landscape Committee –

JP Muller reported that the proposal from Ron Tipton was sent to the Board which recommended landscape enhancements along the lake behind the homes at 218-228 New Mark Esplanade which would involve a Landscape Architect/Designer to create a plan with suitable plant material for this area. The Committee requested a budget of \$4000 to develop the plan. The Board discussed expanding the area to and around the bridge or to the other side of the stairs to 212 New Mark Esplanade. Alex Belida commented that this plan is ill advised. He mentioned that a few years ago, Ellen Stein suggested a master landscape plan for all common areas which he thinks is a better than a piecemeal approach that only benefits a handful of residents. Joe Jordan supported Alex's suggestion for a master plan and suggested going directly to nurseries instead of hiring a Landscape Architect/Designer for \$4000 to create a plan. Shireen Ambush advised that a master plan for all common areas would be quite costly given the vast expansive size of the common areas of the community. Karin Boychyn suggested asking AW Landscapes for their recommendations on a plan which would not cost anything. Ron Tipton responded that AW was asked for their recommendation and they suggested grasses for a cost of \$3500 that the Committee did not like. The area is now overtaken with weeds and poison ivy. This is also the most highly visible part of the lake. Lisa Halvorson suggested we limit the discussion to this particular area since there seems to be no desire for a master plan. Alex Belida commented that we don't have any particular history for paying for plans that benefit particular residents. We have lots of higher priorities than repairing turf. Shireen Ambush suggested going back to AW Landscapes for other suggestions. The Sam Scheib screen-shared a street view of the area under discussion and noted that this is a highly visible area that benefits the entire neighborhood. He supported doing some enhancements since the lake is considered the showpiece of New Mark Commons. Kathleen Moran commented in support of Sam's statements and noted that the initial idea to enhance this area was based on this being the entrance of New Mark Commons. Timothy Petros voiced his support of the Committee's recommendation and moved to approve their request for a landscape plan to be designed for this area at a cost not to exceed \$4000. Sam Scheib seconded the motion which carried with 4 Board Members voting in favor (Kathleen Moran, Timothy Petros, Lisa Halvorson and Sam Scheib) and 3 Board members voting against it (Alex Belida, Joe Jordan and

Karin Boychyn). Alex Belida suggested that we implore our management company and not freelancers to do their own thing with their own vendors. Shireen Ambush advised that she would reach out to AW Landscapes to request a revised plan with their recommendations that do not include ornamental grasses. Joe Jordan noted that when the retaining wall is replaced, there will be damage to the grounds/landscape in this area so the Board must consider that when planning the relandscape project. The removal of the white pine trees also needs to be addressed. Lisa Halvorson noted that the implementation needs to be sequential, but we still need a plan. Alex Belida suggested that the motion to approve the plan be withdrawn. Joe Jordan noted that the motion can be reconsidered and reversed. Joe Jordan moved to reconsider the motion that was approved for a \$4000 plan and table it until further notice. Alex Belida seconded the motion which failed with 3 Board members voting in favor (Joe Jordan, Alex Belida and Karin Boychyn) and 4 Board members voting against it (Sam Scheib, Timothy Petros, Kathleen Moran and Lisa Halvorson). The Landscape Committee will ensure there is a proper process and will create the RFP for Abaris to send out to various Landscape Architects/Designers.

The Board reviewed the proposal from S&P Tree care for tree pruning services in response to a series of homeowner complaints. Kathleen Moran moved to approve the proposal for 6 items totaling \$5,050 which was seconded by Karin Boychyn and carried unanimously.

JP Muller reviewed the proposal to plant an Eastern Red Cedar tree for screening purposes for a cost of \$220 and advised that he has spoken with residents in the immediate area and received no objections. Sam Scheib moved to approve the request. The motion was seconded by Karin Boychyn and carried unanimously. Karin Boychyn suggested items of this cost need not come before the Board and can be approved under the Committee's purview. The Board agreed to place this on the agenda for the next meeting to discuss what items can be approved by the Committee within their budget versus what items require Board approval.

Lake Committee –

The Committee sent the Board a proposal for \$500 to repair the existing fence at the corner of the lake near the 100 block of New Mark Esplanade and expand it to where the bamboo is located. Savin Wilkens noted that the fence expansion is mainly to create a visual marker for the landscape crews to demark where the bamboo stops and where they need to start maintenance. The Board agreed to have the existing fence repaired, but no new fence extension to denote the area for bamboo to be installed. The cost should not exceed \$500.

Pool Committee –

None.

Governance Committee –

Joe Jordan reported that the Committee met on October 12, 2021 and approved all changes for review that were submitted to Brian Bichy. The Committee will send their recommendation on quorum requirements to the Board and will be meeting again next week.

Welcome/Social Committee –

None.

6. Treasurer's Report

Karin Boychyn reported that NMC has roughly \$1.4 million in the bank, and we owe approximately \$500,000 on the loan. We are over budget year-to-date on legal fees and snow removal but under budget on landscape enhancements and stormwater fees. The year-end surplus should help cover the COVID credit for next year. Karin complimented Shireen and Abaris on maintaining a very low delinquency. In accordance with the recommendation from independent auditors, Goldklang Group, Karin moved that the Association elects to apply all or part of the excess assessment income to the following year's assessments and such final amount shall be at the Board's discretion. The motion was seconded by Alex Belida and carried unanimously.

Joe Jordan made a motion to post the monthly financial statements on the NMC website with any confidential information redacted. Kathleen Moran noted that very few residents request this information. Karin Boychyn suggested adding a summary of the financials to the minutes of the meetings. Joe Jordan offered to do the redaction and posting of the financial statements on the website. Alex Belida asked Shireen Ambush how many documents have been requested of Abaris by residents of NMC this year and Shireen responded that only 1 resident made a request and was provided the document at no charge under Abaris Realty's Document Review Policy. Joe Jordan withdrew his motion.

Kathleen Moran acknowledged Abaris for so much work that has been done this month which has been particularly busy. Shireen Ambush thanked the acknowledgement noting that she and her team are here to support NMC whenever needed.

7. Management Report

All action items in the management report were covered under this meeting's agenda

8. Old/New Business

Assessment Concepts

Kathleen Moran emailed the Board a summary of the various assessment concepts that are being recommended for insertion into the revised governing documents. Tim Petros suggested that the operating fund be equal for all homes and the reserve fund be adjusted for townhouses based on the exclusive components that only benefit the townhouse sections. There was unanimous agreement for the operating fund to be equal for all homeowners. Karin Boychyn commented that the reserve study was reviewed, and we determined that the parking lots were the main and only component that exclusively served the townhomes. The cost of asphalt is very volatile due to the pandemic, and she suggested keeping the 4 to 3 ratio for the reserve contributions. John Hansman had done research from 1978 – 2019 to confirm the dollar amount spent on townhouse-only items. Alex Belida supported Karin's suggestion noting that most homeowners will likely vote in favor of this since it's the ratio we are already using. Joe Jordan noted new information received at the last meeting of the Governance Committee which will be discussed when the Committee meets next week which may result in new recommendations. Alex Belida stated his opposition to only use the parking lot concept since other reserve items such as retaining walls benefit the townhouse sections. Karin Boychyn noted that we need to foster one concept with one community with a differential for townhomes and we don't want to create more division. Sam Scheib suggested keeping the existing fee structure to get it approved by owners. Timothy Petros agreed and supports a change in the ratio of 1 to .85

which is more fair going forward and easier to sell to the community. Shireen Ambush noted that it's important to consider what at least 60% of homeowners will vote in favor of so that the revised documents will pass the membership vote.

9. Community Forum 2

None

10. Adjournment

Sam Scheib made a motion to adjourn the Board meeting to go into Executive Session to discuss homeowner account/financial information. The motion was seconded by Lisa Halvorson and carried unanimously.

Kathleen Moran moved to adjourn the meeting. The motion was seconded by Alex Belida and carried unanimously. The meeting adjourned at 9:13 p.m.