

**NEW MARK COMMONS HOMES ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**Thursday, January 6, 2022**

**7:01 p.m.**

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Minutes Taken by Shireen Ambush

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**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 7:01 p.m.

**1. Community Forum 1 and Board Response**

None

**Board Response**

None

**2. Agenda and Prior Meeting Minutes**

**Board Meeting Agenda 1-6-22:** The Board voted unanimously to approve the agenda as amended.

**Board Meeting Minutes 12-4-21:** Alex Belida moved the approve the minutes as amended. Karin Boychyn seconded the motion which was carried unanimously.

**3. Appeals**

None.

**4. Hearing**

None

## **5. Committee Reports**

### **Architectural Control Committee (ACC) –**

Timothy Petros requested Board discussion on approval of ACC applications for EV charging stations, particularly those that are proposed to be installed on common area. After discussion, the Board agreed that all ACC applications from townhouse owners for EV charging stations on common area should be deferred to the Board for final approval and those applications from single family homeowners for EV charging stations on their own property can go through the ACC.

### **Communications Committee –**

The Board discussed the Committee's recommendation to increase the pay for door-to-door newsletter delivery to \$80. Alex Belida moved to approve the Committee's recommendation. The motion was seconded by Sam Scheib. Joe Jordan moved to amend the motion to make the increase in pay retro-active to the last delivery in December. The motion carried with all Board members voting in favor with the exception of Karin Boychyn who abstained.

### **Landscape Committee –**

Lisa Halvorson reported that the Committee did not meet in December and will present their suggestions for spending authority by the February Board meeting. The Board discussed 2 proposals received by Abaris for the removal of 5 white pine trees behind townhomes between 216 and 238 New Mark Esplanade. The third bid has not yet arrived despite several requests to the vendor. Sam Scheib moved to accept the bid from S&P Tree Care. Alex Belida seconded the motion which carried unanimously.

### **Lake Committee –**

None

### **Pool Committee –**

The Board reviewed the proposals from Pool Personnel for pool repairs and the 2022 pool management services. Sam Scheib moved to approve the repair proposal. The motion was seconded by Lisa Halvorson and carried unanimously.

The Board discussed the proposal for the 2022 pool management services noting that the attorney of record should be updated to Ruth Katz. The Board also inquired if 4 guards is really necessary and asked Abaris to convey the inquiry to John Curry. Sam Scheib noted that his son is currently interviewing for a job at Pool Personnel so he will abstain from voting on the pool contract. Karin Boychyn moved to accept the 2022 pool management contract. The motion was seconded by Alex Belida and carried with all Board members voting in favor with the exception of Sam Scheib who abstained.

Sam Scheib recognized Nancy Wood who will soon be moving out of New Mark Commons. He thanked her for her great years of service on the Pool Committee.

### **Governance Committee –**

Joe Jordan reported that the committee received the memo from Brian Bichy on the governing documents. The Committee meets next week to review the final version of the Bylaws and come up with a plan to send it out to the community for comment. The Committee has sent its recommendation to the Board for the

assessment model last month and asks for feedback. The Committee is also reviewing the memo from Dan Amodio that had several good ideas.

#### **Welcome/Social Committee –**

None

### **6. Treasurer's Report**

Karin Boychyn reported that NMC has \$1.3 million in the bank. The association owes roughly \$490,000 on the loan. We are over budget on legal fee expenses and snow removal and under budget for entertainment and contracts. Some of those invoices will still come in, but Karin believes we will have a small surplus again this year. We have spent roughly \$87,000 from the reserves so far this year. The Board needs to schedule a meeting with Bayland to plan for the next 2-3 years.

### **7. Management Report**

- A. The Board acknowledged the notice from Potomac Disposal of a rate increase for servicing the trash and recycle bins during the pool season. Abaris has solicited bids from other trash contractors and will present them to the Board at the next meeting.
- B. Abaris will schedule a working meeting with Bayland and the Board once their final pricing is received for the lake dam project.
- C. Shireen Ambush gave an update that the survey required by the City of Rockville necessary to release the permits to reconstruct the lake bridge and piers has been completed and submitted to the City. We hope to receive the permits in the near future so this project can get underway ASAP.

### **8. Old/New Business**

#### **December Meeting Executive Session**

Kathleen Moran noted that one of the December agenda items was moved to Executive Session during which time the Board voted to rescind the action previously taken against Joe Jordan for alleged violation of the Board Code of Conduct and not to take any action against Alex Belida in this regard.

#### **Governance Committee Memo of 12-15-21.**

Joe Jordan reported that the Committee has spent almost 3 years working on these documents and the Bylaws are almost done. The report the Committee has submitted to the Board was comprehensive with charts and comparisons of their recommendations. The Committee suggests holding a community forum to gather feedback from homeowners. The Board thanked the Committee for their hard work but also agreed that a special meeting should be called only after a review of the assessment model options is advertised in the newsletter so owners can come to the open forum educated and equipped with their comments or questions. Board members suggested coming up with a few of the most favorite options for the homeowners to comment on. Alex Belida suggested splitting the votes to vote on all changes to the Covenants except the assessment concept which can be voted on separately. If none of the models passes, we stick with the current dues structure. Raj Gupta noted that we have 11 months to gather enough votes to pass the documents and highly recommends not amending the current Covenants to

allow future Boards carte-blanche with the formula. He suggested holding the community forum to put out an executive summary. He advised that a-la-carte voting won't work. Joe Jordan suggested utilizing resources we have to hold virtual meetings. Open forum gives owners the opportunity to see the work the Committee put into this. They can look at the different proposals and provide input. The Board does not have a position now without homeowner input. Karin cautioned that we need to be careful what we put out to the homeowners, and we cannot expect them to read extensive information. She suggested a 1-page explanation of what we are trying to achieve and why it's important. A separate meeting is needed to discuss 3-4 options that will be put forward to the homeowners for feedback. Tim Petros inquired why we can't just give homeowners 2 options to choose from. Alex Belida suggested that the Committee arrange for the open forum to present its proposal to the community and the Board will consider the reaction to that. Ron Tipton suggested calling for the owner forum. The only way to get 60% affirmative votes is to have one proposal presented to the community to vote on "yes or no". Sam Scheib suggested that the open forum include all assessment concept options that have been considered but limit the focus of the meeting on the dues structure. Alex Belida noted that the original survey the Board sent out gave 3 options for the dues structure.

Joe Jordan noted new legislation that has been passed recently in Maryland regarding virtual Annual meetings. Joe volunteered to coordinate with Abaris and the Governance Committee on the wording of the Annual meeting notice to ensure that it is in compliance with the new laws. Joe requested Abaris to provide him with a word document version of last year's Annual meeting notices.

Lisa Halvorson suggested including a call for volunteers to join Committees in the next newsletter.

## **9. Community Forum 2**

Pat Reber welcomed a new member of the Communications Committee, Rocia Cromley. She advised that communication needs to be constructed and strategized in order for people to participate in a virtual open forum.

Debbie Mesmer inquired as to the meaning of a 50% plan from Bayland on the lake dam project. Kathleen Moran responded that this is the point when they have completed assessment surveys but do not have any cost estimates as of yet.

Matt and his wife are new homeowners in NMC who are interested in joining Committees. They were referred to the NMC website for a schedule of upcoming Committee meetings and were encouraged to attend a few before deciding which ones they wish to serve on.

Raj Gupta noted that neighboring communities have installed EV charging stations and he has taken some pictures. Some homes have parking spaces a good distance away from the home so the Board may need to consider installing EV charging stations on common area for all to use. The Governance Committee will work on preparing an executive summary, but it won't be ready for the next newsletter, so he just suggested including a "save the date" for the community open forum.

Rita Molyneaux complimented AW Landscapes on a job well done on the snow removal services so far this winter!

## **10. Adjournment**

Karin Boychyn made a motion to adjourn the meeting which was seconded by Joe Jordan and carried unanimously. The meeting adjourned at 8:46 p.m.