

# NEW MARK COMMONS HOMES ASSOCIATION

## BOARD OF DIRECTORS

Thursday, May 2, 2024

7:00 p.m.

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Minutes Taken by Kaitlyn Ambush

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### Attendees

**Board Members:** Kathleen Moran, Joe Jordan, Samuel Scheib, Karin Boychyn, Tim Petros, Amanda Mita, and Emily Ecker

**Abaris Community Management:** Shireen Ambush and Kaitlyn Ambush

**Homeowners:** Debbie Mesmer, Jennifer Jackson, Saven Wilkins, Pat Reber, Jim Denny, and Ron Tipton

### Call to Order of the Board Meeting

Kathleen Moran called the Board Meeting to order at 7:02 pm.

#### 1. Community Forum 1 and Board Response

Kathleen Moran thanked Abaris for the oversight of the new fence installation along the lake/dam. It's a big visual improvement!

Jennifer Jackson echoed Kathleen's remarks regarding the fence installation and noted the new fence looks great!

#### Board Response

No response required at this time.

#### Agenda and Prior Meeting Minutes

**Board Meeting Agenda 5-2-24:** The Board unanimously approved the agenda as amended, with additions requested by Kathleen Moran.

**Board Meeting Minutes 4-4-24:** Karin Boychyn made a motion to approve the minutes from the April 4, 2024, Board Meeting as distributed. The motion was seconded by Joe Jordan and carried unanimously by the full Board.

#### 2. Committee Reports

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

Tim Petros noted that John Tran as sought interest in joining the ACC Committee. Tim Petros made a motion to appoint John Tran to the ACC. The motion was seconded by Karin Boychyn and carried unanimously.

Tim also noted that the ACC will be changing their meeting dates to the 2<sup>nd</sup> Monday of each month, starting in June. The ACC is working with the Board to develop guidelines for temporary fencing.

#### **Communications Committee –**

Amanda Mita reported that a flyer will be issued to owners regarding proper trash pro

#### **Landscape Committee –**

Saven Wilkins discussed the needed funding requested by the Landscape Committee, as follows:

- Stump Grindings (328, 506 NME): \$1,300
- Brush Clearing in 100-block of NME: \$1,600 per day (2 days anticipated)

Joe Jordan made a motion to accept all requests put forth by the Landscape Committee, as outlined above. The motion was seconded by Amanda Mita and carried unanimously.

The Board discussed the proposal from AW Landscapes to lay woodchips along the 4 pathways within the community for \$1,600. Joe Jordan made a motion to approve the proposal from AW Landscapes. The motion was seconded by Emily Ecker and carried unanimously.

#### **Pool Committee –**

Samuel Scheib noted that the Pool Committee met last night and requested funding from the HOA, not to exceed \$4,200, for the 4<sup>th</sup> of July Social Event. Karin Boychyn made a motion to approve the funding request from the Pool Committee, not to exceed \$4,200, for the 4<sup>th</sup> of July Social Event. The motion as seconded by Samuel Scheib and carried unanimously.

The Pool Committee would also like confirmation from Abaris that the proceeds from the Ice Cream sales from the 2023 season have been transferred to the operating account. Sam inquired when the inspection for the pool and snack bar will take place.

The Pool Committee also discussed the idea of outdoor equipment that would replace the diving board, now that it has been removed, such as waterproof games – ping pong table, etc. The Committee will present specific ideas to the Board at the next meeting.

Sam noted that the Pool Committee considered advertising the non-resident memberships on social media. Joe Jordan expressed his opposition to this suggestion, at which time the Board agreed to evaluate the success rate of the new sign that was installed at the beginning of the 2024 pool season before advertising the membership online.

#### **Welcome/Social Committee –**

Karin Boychyn reported that the movie night and science fair were well attended events!

The Committee is looking into new ideas for future social events, as there are lots of new residents moving into the community!

### **3. Treasurer's Report**

Karin Boychyn presented the Treasurer's Report and noted that the HOA currently has \$2.1 Million in the bank. The HOA still owes \$238,000 on the loan. At this time, there are no big budget variances to report on.

The current equity is as follows: \$1.2 Million in the Reserve Account, and \$647,000 in the Unappropriated Member's Equity account. Currently the HOA has spent \$6,000 on the lake for dam repair expenses.

Kathleen Moran noted that the draft audit report contained outdated language regarding the reserve funding, which is no longer used in the updated governing documents. Abaris confirmed that the updated language will be shared with the auditors before finalizing the draft audit report.

The Board discussed the 2024-2025 Audit and Tax Preparation Services Proposal from Goldklang Group. Samuel Scheib made a motion to approve the proposal from Goldklang Group. The motion was seconded by Karin Boychyn and carried unanimously.

### **Management Report**

The Board discussed the pricing received from Solitude Lake to remove bulk trash from the lake, on an as-needed basis, and agreed to table the proposal at this time.

Kathleen Moran noted that the pool diving board has been successfully removed. Thank you Abaris for overseeing the successful removal of the diving board.

### **4. Old/New Business**

- a. The Board discussed the draft easement agreements to the owners of the Lakeside Overlook and the 100 and 800-block of New Mark Esplanade, who are affected by the retaining wall project, and noted that the removal of trees is not mentioned in the easement agreement. Kathleen Moran noted that there are 6-8 significantly large trees that will need to be removed for this project. Abaris will inform legal counsel to revise the agreements as requested, and to send the final agreement to all affected owners.
- b. The Board discussed the unauthorized fence located on HOA property, behind 316 New Mark Esplanade, and the non-compliance by the owner for the outstanding violation. Joe Jordan suggested the Board hold a hearing with the owner, rather than filing a CCOC complaint. As such, Joe Jordan made a motion to hold a hearing with the owner of 316 New Mark Esplanade, during the executive session, of the June 2024 Board Meeting. The motion was seconded by Karin Boychyn and carried unanimously.
- c. The Board discussed the unauthorized fence installed on HOA property, in front of 276 New Mark Esplanade. Karin Boychyn made a motion to send a letter to the owner of 276 New Mark Esplanade and request the removal of the fence on HOA property, within 15 days. The motion was seconded by Joe Jordan and carried unanimously.
- d. The Board discussed the revised draft of the Board Code of Conduct and agreed to table the discussion until the next meeting.
- e. Kathleen Moran announced that AW Landscapes anticipates the installation of the new retaining wall between 226 and 228 New Mark Esplanade in Mid-May.

- f. Kathleen Moran acknowledged the City of Rockville’s request to install LED light fixtures throughout the community. Kathleen confirmed that a response, on behalf of the HOA, has been issued back to the City noting the Associations opposition of the installation of LED light fixtures since they do not conform with the architectural standards of the community, as well as expressing other concerns related to the lighting installation.
- g. Kathleen Moran discussed the damage sustained to the Bracknell Circle roundabout and the responses received from the residents of Bracknell Circle, who prefer grass seed and mulch, rather than gravel. The residents of Bracknell Circle have already restored the roundabout; therefore, no additional action is required by AW Landscapes or the HOA.
- h. The Board discussed the request from the owner of 1 Lakeside Overlook to rent the clubhouse on Sunday afternoon, once a month during the school year. Sam Scheib made a motion to approve the request presented by the owner of 1 Lakeside Overlook, contingent that the owner provide 7 days’ notice prior to each rental to ensure that no other rental requests have been submitted. The motion was seconded by Tim Petros and carried with the following votes: For – Tim Petros, Samuel Scheib, Kathleen Moran, and Amanda Mita; Against – Joe Jordan, Emily Ecker, and Karin Boychyn.
- i. The Board discussed the Legacy Program suggested and discussed with legal counsel, who confirmed that residents can donate funds to the HOA through their will, but the HOA would have to pay taxes on any funds gifted. Sam Scheib made a motion to establish a legacy program. The motion was seconded by Karin Boychyn and did not pass with the following vote count: For – Sam Scheib and Karin Boychyn; Against – Kathleen Moran, Tim Petros, and Joe Jordan; Abstained – Emily Ecker and Amanda Mita.
- j. The Board discussed the parking regulations for requests related to the clubhouse parking lot and agreed that requests submitted must be from owners of NMC and proof of the vehicle registration must be provided at the time the request is submitted.

## **5. Community Forum 2**

Saven Wilkins inquired if his 17-year-old daughter can serve on the Board.

Ron Tipton gave kudos to Saven and the Landscape Committee for the great turn-out of the April 20<sup>th</sup> Landscape Enhancement Day!

Pat Reber noted that an article has been posted on the NMC website regarding the April 20<sup>th</sup> Landscape Enhancement Day. Pat also noted that the Communications Committee is working on drafting another reminder notice to all owners that ACC approval for all exterior modifications must be approved prior to any work being completed.

## **6. Board Response to Community Forum 2**

No responses were required from the Board at this time.

## **Adjournment**

There being no further business, Sam Scheib moved to adjourn the regular meeting and go into Executive Session for the purpose of discussing individual owner accounts. The motion was seconded by Joe Jordan and carried unanimously. The meeting was adjourned at 8:21 p.m.