

NEW MARK COMMONS HOMES ASSOCIATION

2019 ANNUAL MEETING

Monday, March 11, 2019

New Mark Commons Clubhouse, 7:30 p.m.

Minutes Taken by Shireen Ambush

Attendees

Board Members: Alex Belida, John Daroff, Alex Manolatos, Kathleen Moran, Ellen Stein, Magnus Turesson.

Abaris Community Management: Shireen Ambush, Mimi li and Miki Vikor

1. Call to Order

John Daroff called the meeting to order at 7:31 p.m.

- A. **Proof of notice of meeting:** Shireen Ambush attested that all homeowners were sent notice of the Annual meeting on January 18, 2019 and on February 18, 2019.
- B. **Proof of quorum:** Shireen Ambush attested that the quorum requirement has been met.
- C. **Minutes of 2018 Annual Meeting:** David Schwartzman moved to accept the 2018 Annual meeting minutes; seconded by Raj Gupta and carried unanimously by voice acclamation.

2. Awards from the Board

- A. John Daroff presented the following individuals with awards on behalf of the Board for their dedicated service:
 - 1. Emily Meyer – Halloween Parade
 - 2. Stephanie Bloom – 4th of July Party
 - 3. Bill Holdsworth – NMC Website
 - 4. Lori Nicely – Lake Committee Reinstated
 - 5. Chris Chiappal – Spring & Fall Clean-Up
 - 6. Beth Williamson – Spring & Fall Clean-Up
 - 7. Rita Mollineaux – ACC

3. Reports from the Board

- A. **Presidents Report – John Daroff’s President’s Report is an attachment to the minutes.**
- B. **Treasurer’s Report – Kathleen Moran’s Treasurer’s Report is an attachment to the minutes.**

C. Committee Reports

1. **Architectural Control Committee (ACC) - John Hansman, ACC Chairman's report is an attachment to the minutes.**
2. **Communications Committee (CC) – Alex Belida's report is an attachment to the minutes.**
3. **Landscape Committee (LC) – Ellen Stein, Chairperson's report is an attachment to the minutes.**
4. **Pool Committee - Kathleen Moran's report is an attachment to the minutes.**

4. Appointment of Inspectors of Election

John Daroff moved to appoint Margaret Cho and Chris Durso as Election Inspectors; seconded by Alex Belida; carried by voice acclamation.

5. Open Forum

- A. **Arthur Katz:** Commented on the proposed widening of I-270 to 4 more lanes. This would have a huge impact on the community. There is a story posted on the website with more details.
- B. **David Sloane:** Agreed that we should oppose the widening of I-270. The Board should take an official position to oppose it.
- C. **Raj Gupta:** Attended the meeting last Saturday to discuss the proposed widening of I-270. The DOT will be conducting more meetings in April. Other alternatives have been suggested. Residents should attend the meetings or send comments in writing.
- D. **Joe Jordan:** Asked if the 50% dues increase for 2020 has already been approved?

Board response: John Daroff responded that the Board planned a 2-step 50% increase in the dues but no formal decision has been made for 2020 as of yet. We will do that as part of the 2020 budget planning process starting this summer.

- E. **Brent Gulick:** Suggested that we try to utilize some of our unique characteristics – nature walks, calendars with pictures of homes in New Mark Commons, etc... in order to raise income and soften dues increases. The dues increase is impacting folks on fixed incomes.

Board response: John Daroff responded that New Mark Commons is not a non-profit organization and we are not empowered to monetize certain things due to limitations in the governing documents.

F. **Homeowner:** Why are we repaying the \$750,000 loan so fast over 7 years?

Board response: John Daroff responded that commercial loans and terms are different than private mortgage loans. The repayment period of our commercial loan is within industry standards. This was not meant to be a long-term loan and there will be no liens against the property – only on future assessments until the loan is repaid. All loan offers we obtained from local banks had similar terms.

G. **Pat Reber:** Asked for thoughts on governance issues?

Board response: John Daroff responded that it would be ideal to create a committee to deal with updating the governing documents which are 50 years old. Our attorney will provide us with a blank set of modernized documents so we can customize them to fit our needs. It will take multiple community forums to get community feedback and then it will take an affirmative vote of 2/3 membership in order to adopt the new governing documents.

H. **Lori Newman:** The parking lots look amazing and the project was administered very well with great communication. When will the erosion issues be addressed?

Board response: John Daroff responded that the only drainage work done thus far was directly related to the parking lot repaving project and we will consider other erosion issues in conjunction with the overall plan for capital improvement projects over the next several years.

6. Election of Directors

Ballots were counted and the following election results were announced:

Joe Jordan – elected for a 3 year term

David Sloane – elected for a 3 year term

Karin Boychyn – elected for a 1 year term

7. Door Prizes

Suzie Chi and Karin Boychyn won \$50 gift certificates to Clydes.

8. Business: None

9. **Adjournment** John Hansman moved to adjourn; seconded by Bernadette Goovaerts; carried by voice acclamation. Meeting adjourned at 8:40 p.m.

NMC LAKE SUBCOMMITTEE – ANNUAL REPORT 2019

NMC Lake Subcommittee was formed to focus exclusively on our community’s lake, as it is a key treasured asset that truly contributes to the neighborhood’s uniqueness and beauty. Our goal is to make the lake and surrounding area the “sparkling jewel of NMC” by focusing on three key, interrelated areas: (1) Health of the Lake (2) Welfare of the Wildlife and (3) Health, Appearance of the Infrastructure and Landscaping. The Subcommittee was granted Board approval in summer 2018 as a formally recognized committee of the HOA, and is expected to provide recommendations and undertake actions to meet our goals.

Lake Subcommittee is “hands-on” in its work and practices progressive and responsible stewardship as a guiding principle in carrying out its mission. Members include Lori Nicely (Chair), Sally Guardia, and Saven Wilkens. All are welcome to join!

Key Accomplishments

Key accomplishments for 2019 include the following:

Item No.	Key Accomplishment in support of <ul style="list-style-type: none"> ✓ Health of the Lake ✓ Welfare of the Wildlife ✓ Health, Appearance of the Infrastructure and Landscaping 	Purpose/Benefit
1	Advocated sediment removal as a priority	<ul style="list-style-type: none"> ✓ Bring to Board’s attention importance of sediment removal and how neglect affects health/appearance of the lake and wildlife ✓ Educate on potential options including new technology not available in 2005 (hydro raking) ✓ Advocate for funding, timeframe
2	Installed “No Feeding Geese or Ducks” signage	<ul style="list-style-type: none"> ✓ Keep wildlife healthy ✓ Help maintain healthy lake and surrounding area
3	Cleaned up lake bank/removed litter	<ul style="list-style-type: none"> ✓ Keep HOA property, water clean; keep wildlife safe
4	Conducted site visits to glean best practices (various)	<ul style="list-style-type: none"> ✓ Glean best practices/standards from similar communities and parks ✓ Provide examples, justifications to get current with our practices ✓ Serve as a reminder to not “reinvent the wheel”
5	Trimmed trees around lake bank	<ul style="list-style-type: none"> ✓ Keep trees healthy ✓ Is more attractive ✓ Allow residents, pedestrians to walk through the area unmolested
6	Removed and replaced protective wire around trees	<ul style="list-style-type: none"> ✓ Provide room for trunk growth ✓ Protect trunk in case beaver returns
7	Provided cost effective solutions for pier refurbishments	<ul style="list-style-type: none"> ✓ Bring deteriorated/deteriorating condition of piers to Board’s attention ✓ Offer cost effective solutions from qualified licensed contractors
8	Began draft of Master Plan	<ul style="list-style-type: none"> ✓ Ensure uniformity and standards in lake and surrounding area maintenance
9	Shared key lessons learned with Board (re: sediment removal efforts)	<ul style="list-style-type: none"> ✓ Save money by implementing lessons learned from 2005 sediment removal (e.g., dump site to be chosen in advance by us and is as close to home as possible as it significantly affects costs) ✓ Acknowledge NMC’s previous accomplishments, what is working well (measures already in place to control sediment buildup including aeration, erosion control via landscaping, etc.) ✓ Bring to Board’s attention long-term preventative measures to consider (e.g., private service to have street swept, as key source of erosion/sediment buildup are inlets)

Goals

Moving forward, key goals for 2020 include (1) secure contractor for sediment removal that represents “best value” (cost effective and will perform work to meet our goals at a “satisfactorily” level or above) (2) complete at least 1 new initiative that incorporates standards/best practices from similar environments (communities, parks, etc.) (3) ensure healthy appearance of lake, surrounding area by performing basic clean-up, tree trimming as needed.

Finances

The Lake Subcommittee demonstrates fiscal responsibility and financially benefits the community. All accomplishments listed above were done at no cost to the HOA. Any material costs that were incurred were funded by members and all labor for work (e.g., sign installation, tree trimming, wire replacement, etc.) was volunteer.

NMC TREASURER'S REPORT 2019 Annual Meeting

2018 was a big year in NMC:

- For 2019 dues were increased 50% over 2018 in order to address the community's operating needs. The \$264,515 generated by this year's dues increase was budgeted approximately:
 - \$125,000 to meet the line of credit payment taken out in 2018
 - \$76,000 to meet increases in operating services contracts
 - \$63,000 for additional support to the reserves for capital projects –
NOTE: here in NMC much of what could be called maintenance elsewhere is actually handled as a capital project.
- Already in 2019, the Board has committed capital funds to the pool filtration system, a new ADA chair lift and railing to access the pool, a new tile floor in the Clubhouse foyer and lower level, a new alarm panel for the Clubhouse, plus repair of the basketball court and tennis courts playing surface. Paving of the walkways and Clubhouse parking will be completed this spring.
- The 50% increase in 2019 for dues was implemented as phase one of a recommended two step increase with another 50% increase recommended for 2020 in order to position the community to be able to start to address many identified capital projects needed over the next decade. If this increase is implemented as planned, NMC would then have approximately \$300,000 per year to dedicate to capital projects.
- Identified capital projects include: dredging the lake, replacement of several retaining walls, erosion projects, assessing needs of the 52 year-old pool, assessing the ADA needs of the Clubhouse, etc. These few items just mentioned have projected costs totaling several million dollars.
- The \$750,000 line of credit taken out in 2018 to fund the asphalt parking lots and concrete sidewalk and curbing for the townhouses will be paid back over 7 years at approximately \$128,000 each year. This line of credit was only possible because we had \$500,000 in the bank.
- Our 2017 audit was not completed until January 2019 and included significant corrections. Our 2018 audit will be with a new firm and will start this month.

- Dues payments remain twice a year via direct deposit or check –Thanks to all who make prompt payments. Notice to delinquent home owners first comes as a letter from the Board and then Abaris handles all future communications.
- Yes, we have over \$700,000 in the bank at the moment, BUT
- Our current Operating budget of \$833,000 still does not address all our needs: trees remain one such example – we have three reports recommending removal of the original white pines planted by the town houses – but at costs of \$30,000 to take down only 5 of these trees, we have yet to address this total situation.
- NMC is now positioned to create a long-range plan for capital projects that will demonstrate over a multi-year approach how we can address the communities’ needs. This plan will also then justify our budgets and dues.
- With completion of the town house parking lots, Our Reserve study will need to be updated. This is the review and assessment of all our capital responsibilities.
- Our 2020 budget will be developed this summer and present for review by the community and approval by board in the fall.
- Thanks to Abaris for managing our financial affairs, invoicing and collecting our dues, providing payment to all our vendors, providing detailed monthly reports to the board, providing needed information for audits, administering needs for the line of credit, providing multiple proposals, providing financial recommendations for board consideration, etc.
- Thanks to everyone for paying their dues, sharing their ideas and concerns and helping to ensure NMC remains a great place to live.

Annual Meeting 2019 - Highlights of the 2018 NMC Pool Season

- The pool remains a very special “gem” amenity for the community
- Nancy Wood continues to serve as the Pool Committee Chairperson. The committee includes Jim Denny, Peggy Metzger, Stephanie Bloom, Nan Whalen, Joe Jordan, Stacy Rabkin and Kathleen Moran.
- Over 100 children participated in the Swim Team program last summer. Thanks to Peggy Metzger and all the other parents for overseeing a fun safe season.
- Pool Personal assumed management and under John Currie’s leadership the NMC pool equipment received overdue maintenance and the facility’s physical needs, including the emergency repair of the “baby pool”, were addressed.
- The Pool rules were rewritten and simplified. A new sign posted at the pool office.
- Better enforcement of the NMC pool rules by Pool Personal staff will be a priority in 2019
- Stacy Rabkin has stepped forward to organize an adult pool party this June
- Stephanie Bloom has stepped forward to oversee the NMC celebration at the pool on July 4th
- The NMC Board has approved purchase of a new ADA chair lift and installation of a second railing at the shallow end steps to meet code compliance for ADA access
- The Board is also committed to making improvements in the pool filtration system for the 2019 season
- New flooring will be installed in the Clubhouse over the concrete floors in the entrance way and lower level
- Everyone is encouraged to enjoy use of the pool this coming summer

Annual Meeting 2019

President's Report

Good Evening and welcome to the New Mark Commons Annual Meeting. I am John Daroff, and I have completed 4 years of service on our Board and have served as President of our Association for the last 2 years. Joining us to night are Board Members, Magnus Turesson, Kathleen Moran, Alex Belida, Ellen Stein, and Alex Manolatos.

First, I want to start with a special thank you to Magnus Turesson and Alex Manolatos. Tonight, Magnus and Alex's term on our Board ends. They have been great contributors to our community. Magnus re-established the community enhancement committee; organized the community wide surveys of our homes and coordinated the sending of letters. After we folded community enhancement into the ACC, Magnus has provided his expertise there as well. Magnus has took it upon himself and personally rehabbed the utility shed in the 200 and he painted or replaced many of the green utility coverings that were in need of attention.

Alex Manolatos as has been the life of our party as she became our Social Liaison. She worked with resident committees to host Social activities such as the International Dinner and the Adult pool party and our fabulous 4th of July celebration to name a few. In addition, Alex has served as the Board Liaison to the ACC. In that role she has made valuable contributions to the ACC and has helped the Board navigate Architectural issues.

As a token of our appreciation, we have gift cards to Clydes for Magnus and Alex. Let's give them a round of applause.

I wanted to take a few moments to provide a state of the community. I believe that we continue to grow stronger each year. In the last two years we have experienced the seismic shift from being a self-managed association to having professional management. When we met this time last year, Abaris had been on the job for 4 months. When we hired Abaris, we were told to expect that it would take a year to complete the transition. Boy was that correct. It has taken time for the Board and Abaris to learn to work together as well to learn what works well for our community and what doesn't. We know that there have been bumps in the road, and made corrections and improvements along the way. We will continue working to improve.

In the last year, the Board undertook its most significant capital improvement project ever which was the repaving of our townhouse parking lots. This project was several years in the making and sorely needed. It is not done yet because we still need to do the clubhouse parking lot and work on our walking trail which will be done this spring. As part of the repaving, we added ramps in every block and we reconfigured the sidewalk in two sections of the 800 block to reduce trip and fall hazards.

Also in the 800 block, we replaced a timber retaining wall with a stone retaining wall.

In the clubhouse, we painted the downstairs bath house and improved the lighting. This year, we will upgrade the alarm system and add non-skid flooring to the vestibule, hallway, and locker and bathrooms. We also considered replacing the pool filtration system, but we are acutely aware that our pool is over 50 years old. We decided to hold off on a new filtration system for now so that we can look how much life the pool has before we have to do a significant renovation so we can start planning for it now. If we needed a new pool, it would likely require a new filtration system.

We will also refurbish the basketball and tennis courts this spring as both are in dire need of work.

Our capital project needs outstrip the money that we have available and the Board will continue to identify and prioritize projects with community input. For example, we are aware of our responsibility for dredging the lake and we are working on fitting it into a reasonable time table with relation to our budget. With some preliminary research done, we estimate that lake dredging from start to finish will take approximately 18 months once we decide to pull the trigger on the project because there are surveys to do, contractors to engage and permits needed.

In addition to the lake, we would like to renovate the clubhouse both to make it a more attractive and functional space and also to make it accessible for those with disabilities. In order get the most bang for our buck, we must first engage an architect that can help us reimagine our space with our wants and needs and create a design that can be completed in multiple phases so that at the end we will be able to realize our collective vision.

Finally, we have retaining walls and erosion. Retaining walls are surprising expensive, but we must have them. We continue to evaluation retaining walls and will replacement them as necessary. While we spent significant time this year evaluating our erosion problem, we have not yet settled on any solutions.

Since we have performed significant work in the last year, the Board will commission a new reserve study this year as an update to the one that had done a few years ago to see where our work is paying off and where we need to go.

Aside from our capital maintenance we need governance maintenance. In the last several years, the Association has had 3 CCOC complaints filed against it, with one currently pending, with regard to how the Association has raised annual assessments. Also during this past years budgeting process we received several comments regarding apportionment of assessments. These are all governance issues.

As a Board we have spent a lot of time fighting fires for the last few years. First we had to confront changing management, and next we had to confront our aging infrastructure.

Now that we have a handle on management and infrastructure, it is time to work on governance. It is my hope that at this time next year we will have a draft if not final set new governing documents for the community to review. It is my hope that updating our governing documents will be an inclusive project with lots of opportunity for participation and comments.

I also want to address our assessments. I know, they have been going up with no seeming end in sight. We are sensitive the burden, but we feel that we have needed to right size our budget since we have had budget overruns for the last several years. On the expenditure side of our budgeting process, we have tried to be as lean as possible, but discovered our revenue falls short of what is required to operate our community. While our costs have gone up on the capital side which I addressed earlier, we also have increased costs on the operations side. Many of our operations are negotiated contracts such as landscape maintenance, community management, and pool management. We also have some act of g-d line items such snow removal and trees. These are the hardest costs to predict because we don't know how many trees will need work or how much snow will fall in a year. Though we have experienced increases in mailings and management costs as well as insurance, one of the largest cost increases on the operations side continue to be with trees. I want everyone to know that there is an end in sight to our large assessment increases. After assessments are increased according to our plan for the 2020 fiscal year, we will be able to return to assessment increases at much lower percentages.

As I said, trees are a big operations budget line item. We have an aging urban forest that requires attention. Until the last year, I was unaware that some trees have a life expectancy. One tree type we have that has a life expectancy is pine which just so happens has a 50 year life. As a reminder, we celebrated our 50th Anniversary last year. Many of the trees that we have been forced to take down are pine because they are at the end of their life and they have posed a health and safety threat. While we will continue to remove trees that are hazards, we are also looking to replace. We just received approval for a rainscape grant from the City of Rockville for \$600 and we were able to combine this grant with a special that the nursery was running so we will be able to plant several trees this year for minimal cost. We also have a tree tribute fund, so if you are looking for a way to celebrate an occasion; honor or memorialize someone important to you, please consider donating to our fund.

I look forward to the year ahead and continuing to build on the progress that we have made. Thank you.

2019 Annual Meeting ACC Report

I am John Hansman, Chair of the Architectural Control Committee. My Committee colleagues are: Alex Belida, Christine Holdsworth, Alex Manolatos, and Rita Molyneaux. Please stand.

Because of keen interest in the community for improvements, we processed 109 applications this past year and gave detailed assistance to some.

Recent Boards have been supportive of ACC. The successful pursuit of listing on the National Register of Historic Places has raised awareness of how distinctive our community is and the need to preserve it.

We have worked on enforcement of the Architectural Guidelines. We started the year with a list of existing ACC violations of the Guidelines.

We are alert to new construction undertaken without ACC approval. We have tried to make sure that all owners know that any exterior work requires ACC application.

We confronted the problem that some violations had in fact been approved by past Boards.

We give priority in enforcement to violations created by current owners.

We secured voluntary compliance for some violations.

The Board secured agreements from a few to fix the violation at time of sale.

We will pursue violations to the CCOC.

Communications Committee report for Annual Meeting March 11, 2019

The Communications Committee has a core of about 10 volunteers who have worked closely with staffer Kirsten Hall over the past year. They produced a monthly newsletter; kept the website up to date after a number of problems, including malware, thanks to the persistence of Bill Holdsworth; they edited and produced the neighborhood directory; kept you informed with updates via emailed broadcasts - especially during the repaving project last fall; and they kept the agenda and minutes section on the website up to date.

As Board liaison to the Committee, I want to extend thanks to those who worked so hard over the past year, either as members or in some other capacity: Pat Reber, the current chair; David Schwartzman, Bill Holdsworth, Madeline Gupta, Ajay Goraya, Lori Newman. Ardis Fisher and Sally Guardia have contributed wildlife photographs, and Sarah Acharya nice landscapes. And Josh Grabenstein, the website creator, who is now on retainer to work closely with Bill Holdsworth on the website.

The website is a great source of information. News stories are posted under community news if something happens between newsletters. There's a blue bar --new this year-- on the website that lets you know of imminent meetings. And there's a resident area for which you need to sign up.

One of the committee's major efforts in 2018 was helping in the transition from 50 years of being managed by a resident to management by Abaris Realty. The committee provided a steady flow of articles, published a profile of our Abaris manager Shireen Ambush, and created two new website pages: one under the "About" section, "When to Call Abaris"; and one with more details in the resident only area.

The committee launched a newsletter feature to welcome new residents. If you know of someone we've missed, let us know. And we have started publishing obituaries of residents, or even former residents, if we are informed of a death.

The committee welcomes new members. It meets the second Wednesday of every month

2018 HIGHLIGHTS

FROM the LANDSCAPE, TREE and LAKE COMMITTEES

Chairperson and Liaison to the Board Ellen Stein

Landscape: Chris Chiappa, Theresa Dahlman, Gerri Kochan, Kathleen Moran, and Beth Williamson

Tree: Jim Denny, J.P. Muller and Ellen Stein

Lake Sub-committee: Lori Nicely, Chairperson: Barbara Cano, Sally Guardia, and Saven Wilkins

We've had many more successes, but with limited time here are our top 10 highlights

1. A resident, Pat Dufour, from the 800 block, after consulting the landscape committee purchased 8 native deciduous bushes and had them planted in the 800 block center island. Thank you.
2. Identified seven critical landscape areas, but funds allowed for only three areas: (1) Native plantings for new retaining wall (2) removal and replacement of plants between 142-144 (3) refurbishing of Welwyn Way Circle
3. A special thanks to the hardy 40 volunteers who worked at the Spring and Fall Cleanup. At the Fall Cleanup, the Boychyn family even uncovered two large boulders now visible again by the lake
4. Throughout the year, volunteers helped maintain and plant at the lake's border, steps including trash pick up. In addition, at the pool, volunteers took care of plants on the perimeter and interior.
5. When two dead Tulip Poplar trees were removed from Tegner Court, trunk sections were used to create a gathering place near the Clubhouse
6. A new Resident Tribute Tree Program was developed to honor a person who lives or lived in New Mark as a special fund to help replace our aging trees. Through this fund two dogwoods and one Redbud were planted on both sides of the sidewalk between the Clubhouse and Clubhouse parking lot to honor the late Geri Misner
7. The Board this year reinstated a Lake subcommittee at the suggestion of Lori Nicely. The group's goals are health of the lake, welfare of the Wildlife and health/appearance of the landscaping and infrastructure
8. Thanks to two employees with AW Landscape Inc, the beautiful Red Twig Dogwood bushes also the lake's NME border can be seen. The two men worked for **three days** to remove the weeds and unwanted plants.
9. We requested from the City of Rockville for new City trees in the Circles that have no trees. The City has said the planting will take place in the Spring or Fall.
10. Started a "Tip of the Month" feature for the Newsletter

