

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

April 21, 2021

Virtually by Zoom

CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by John Pesce, President

NOTATION OF ATTENDANCE:

John Pesce, President

Nic D'Ascoli, Vice-President (7:14 p.m.)

Andrew Saundry, Secretary

Pat Stoup, Treasurer

Mark Smith, At-Large

Others:

Kristin Czarick, CMCA, AMS, WLA GM

Shelia Jenkins-Diaz, Executive Assistant to the GM

Dean Spear, Covenants Assistant

Bill Hudak, First Service Residential

APPROVAL OF MINUTES:

Andrew Saundry offered a motion to approve the March 17, 2021 minutes.

Pat Stoup provided the second.

Motion carried unanimously. (Saundry/Stoup/Smith)

CONTRACTOR REPORT:

None offered.

FINANCIAL REPORT:

ACTION:

Pat Stoup offered a motion to table financial presentation until May.

Andrew Saundry provided the second.

Pat Stoup will be meeting with First Service Residential (FSR) to review financial report formatting and pending access to bank statements. Bank statements are sent directly to FSR

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

GM REPORT:

- I. The three tot lots that are scheduled for replacement will take place early summer.
- II. Questions relating to architectural and the Architectural and Environmental Review Committee (AERC) will be collated by office staff and will be reviewed with Whiteford, Taylor & Preston.
- III. The News Ashore reference guide is in process and will be forthcoming. It will also be uploaded to the Association website, along with a Frequently Asked Questions segment, such as how to order a resale package.
- IV. COVID restrictions, including capacity limits, are being reviewed with RSV Pools, Inc. but are likely to change. Swim team needs information on capacity limits to provide the Montgomery County Swim League (MCSL) by mid-may. GM will update Board by email. Restrictions and protocols will be fluid and likely to change throughout the season.

BOARD REPORT:

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The Board updated the community that cell towers are being proposed throughout the Germantown area, including Waters Landing. The Association cannot take a position the cell towers, but will keep the community posted on information that may come to the Association. Pat Stoup asked that a link be added to our homepage regarding cell towers. GM confirmed a link will be added.

OLD BUSINESS:

NEW BUSINESS:

Committee Resolution

Pat Stoup briefly addressed that a committee resolution was drafted for appointing committee members and committees. GM confirmed that the resolution was reviewed by Whiteford, Taylor & Preston.

ACTION:

Mark Smith offered a motion to adopt the committee resolution as drafted.

Pat Stoup provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

Architectural & Environmental Review Committee

ACTION:

Nic D'Ascoli addressed that the Board appointed the members of the Architectural & Environmental Review Committee through unanimous electronic vote. Action outside of a meeting is allowed by the governing documents if the decision is unanimous.

Andrew Saundry requested a formal vote to memorialize the vote for the record.

Nic D'Ascoli offered a motion to accept the current eleven members and appoint them to the Architectural and Environmental Review Committee.

Andrew Saundry provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

Adoption of Additional Committees

ACTION:

Based on a community survey and feedback, two new committees have been discussed for creation, including community engagement and pools.

Andrew Saundry offered a motion to create a community engagement committee and a pool committee.

Nic D'Ascoli provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

Board/Resident Protocol

The Board reviewed communications to the Board should be submitted to the Association office to be forwarded to the Board of Directors. Pat Stoup briefly discussed, based upon training and Board Code

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of Conduct, Board Members are limited in communicating with residents as they cannot speak for the Board individually; that the Board must speak as a whole.

Nic D'Ascoli briefly discussed that the Google Group is a communication tool for residents, but is not the official channel for the Association; as well as requesting that the Google Group administrator add a clause for residents to contact the office directly with questions, concerns, etc.

Reserve Analysis

John Pesce prepared a reserve analysis for reserve investments. The Association currently has reserves invested in several accounts, both with First Service Residential & RBC Wealth Management. The Board may keep the current structure with investments with both or re-invest some of the RBC investments into new accounts with First Service.

The Board was complimentary and appreciative of the work that John Pesce put into the analysis.

ACTION:

Mark Smith provided a motion to adopt the recommendations as set forth in the analysis, with re-evaluation following the reserve study.

Pat Stoup provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

ACTION:

Pat Stoup offered a motion to maintain investments with RBC.

Andrew Saundry provided the second.

John Pesce inquired Bill Hudak's opinion on investments. Bill Hudak confirmed that maintaining investments with RBC made no difference to First Service.

The GM briefly addressed that the Board should consider keeping some reserve investments diversified, so that all investments are not with First Service Residential.

Mark Smith discussed that the Board would continue to shop around.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

2021 Pool Season

The GM discussed the upcoming pool season and that with COVID-19 still present, restrictions and guidelines would be amended as dictated by the County. GM recommended the Board approve opening Memorial Day weekend.

ACTION:

Andrew Saundry offered a motion to open Memorial Day weekend.

Pat Stoup provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

ACTION:

Andrew Saundry offered a motion to proceed with COVID restrictions.

Mark Smith provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

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Nic D'Ascoli asked if an accounting of the swim team expenses that the Association pays for are in place. GM confirmed that the Association has invoices for the items purchased utilizing the 2020 funds for coaches.

OPEN FLOOR:

Open floor began at 8:04 p.m.

- I. Rose Wilson requested clarification on enforcement and vehicles. GM briefly discussed that inspections are commencing soon and vehicles are being identified through the inspection process. GM also encouraged residents to call in vehicle issues.
- II. Anita Weinstein expressed that she would like a better understanding of the financial report and supports Pat Stoup's request to simplify. Bill Hudak discussed that the Association is on an accrual basis and if the Association would move to cash basis, then we would be written up by the auditor for material weaknesses. Bill Hudak to provide a narrative, as was previously done, to facilitate understanding. It was also if delinquent homeowners would not be issued pool passes. GM confirmed.
- III. John Pesce asked about Connect. GM deferred to Bill Hudak as Connect is First Service Residential's proprietary software. Bill Hudak discussed that Connect is a secure site where First Service will directly upload financial reports. Access would only be granted to current homeowners. Homeowners could also access their current assessment balance.
- IV. Jessica Luna had questions about parking issues in her neighborhood and about tot lot replacement. GM confirmed from the GM report that the tot lot is scheduled for replacement this summer. GM also asked that the resident contact the office directly so that the office may work with them on the parking issue.
- V. Daniel Coila had questions about their assessment. The GM asked for the resident to contact the office so that the issue may be discussed.
- VI. Laura Magnuson is impressed with the Board and encourages people to attend the Board meetings.
- VII. Rose Wilson asked questions about assigned/reserved parking. GM briefly addressed that reserved parking is not allowed as the parking lot is collectively owned by the neighborhood and that common ground cannot be deeded to an individual lot; but assigned parking could be established through the Neighborhood Advisory Committee (NAC) process. GM asked the resident to contact the office for more information.

Open floor closed at 8:27 p.m.

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Closed-Session Summary Under the Open Meeting Act (General Provisions Article 3-305(b))
Waters Landing Board of Directors

Time of closed session: Thursday, March 25, 2021, 10:00 a.m.

Place (location) of closed session: Zoom

Purpose of closed session: To consult with counsel to obtain legal advice.

Record of the vote of each member as to closing the session:

Motion to hold a closed meeting made by: John Pesce

Names of members voting in favor:

John Pesce, Nic D'Ascoli, Andrew Saundry, Pat Stoup, Mark Smith

Names of members voting opposed: None

Absent: None

Topic of discussion

- a. Audit & Bad Debt
- b. Individual Collections

Time of closed session: Tuesday, April 6, 2021, 1:30 p.m.

Place (location) of closed session: Zoom

Purpose of closed session: To review individual collection accounts.

Record of the vote of each member as to closing the session:

Motion to hold a closed meeting made by: John Pesce

Names of members voting in favor:

John Pesce, Nic D'Ascoli, Andrew Saundry, Pat Stoup, Mark Smith

Names of members voting opposed: None

Absent: None, Mark Smith left meeting early.

ADJOURNMENT:

ACTION:

Andrew Saundry offered a motion to adjourn at 8:27p.m.

Mark Smith provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)

ACTION:

Andrew Saundry offered a motion to adjourn to executive session at 8:27p.m. to review individual collections.

Pat Stoup provided the second.

Motion carried unanimously. (D'Ascoli/Saundry/Stoup/Smith)