

BPRA Committee Reports and Updates for the March 2021 BPRA Board of Trustees Meeting

These updates are distributed to the BPRA Board prior to the monthly meetings and included with the minutes.

1) Pool & Recreational Facilities Committee (Phil Kominski, Chair):

I have no update at this time. I expect to, hopefully, have communication with Clark within the next month or two, prior to the pool opening, so that I can have new information to share with the board.

Filter Housing Project is ongoing.

2) Entertainment & Recreation Committee (Chris Swan, Chair):

a. Spring Thing

Last year, we cancelled the 2020 Spring Thing because of the COVID-19 pandemic and it looks like the 2021 Spring Thing should be cancelled as well. With the COVID-19 variants starting to make the rounds and less than 7% of the County's population fully vaccinated against the original COVID-19, it is unlikely that the County's COVID-19 rules will permit a gathering of the size of the Spring Thing -- or that we would want to expose the neighborhood to the health risk.

Looking forward to restating the Spring Thing in 2022!

b. Movies at the Pool Parking Lot

The Strathmore Bel Pre Civic Association (our partner in the Summer Entertainment Series) has expressed an interest in having movies on the following Saturdays at dusk:

- May 1
- June 5
- July 3
- August 7
- September 4

If the pool remains under the same COVID-19 rules as last year, then the movies would be held in the pool parking lot. If the pool reopens as it was before 2020, then the movies would be on the hill by the volleyball court or (if it rains) under the pavilion.

I would ask the Board to approve the schedule at its March 2 meeting.

c. Summer Market & Yard Sale

The Civic Association traditionally sponsors our community's Summer Market and Yard Sale in the pool parking lot on the Saturday after Memorial Day. Because of the pandemic, the Civic Association Board has not begun to plan the event. Will keep the BPRA Board advised as the Civic Association develops its plans.

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3) Neighborhood Dispute Resolution Committee (Chair TBD):

Nothing to report. Kp

4) Finance Committee (Dave Pullen, Chair):

a. Bookkeeper

I have conversed with a friend who is a former Vice President of the MD Assoc. of Non-Profit Accountants and he believes he can identify 2-3 firms/candidates suitable for our needs, which would allow us a representative sample from which to determine next steps.

b. 2021 Assessment Collections

Assessment notices began arriving in homeowners' mailboxes in late January. To date, we have received payments from 334 homeowners (47%). Of these, 307 were paid by paper check and 27 by online payment.) (FYI: will report updated numbers verbally at the 3/2 Board meeting.)

C. Overdue Collections/Schild Law Group (Dave Pullen):

1. Collections activity continues; Schild firm has secured a number of payment agreements and outreach to realtors/settlement companies has generated settlement/closing payments as well. Much work remains.....

2. Per authority granted by the Board at its Jan. 5 meeting, an Updated Retainer Agreement with Schild has been signed. Schild Group confirms its agreement to serve as Resident Agent for the Association at no additional charge.

d. Assessment Assistance Committee (Dave Pullen)

The Committee has finalized the 2021 application form after making edits consistent with the Board discussion at the Feb. 2 meeting. The form is live on the website. No applications received as of 2/24.

e. Review of Electronic/on-line Pool Management Services Providers (Dave Pullen)

The transition team has completed training on eSoft Planner software. Online payment system has been set-up and became operational February 14, well before the Match 1 scheduled date. Karen and Claire collaborated to produce written instructions for homeowners to follow in order to create an eSoft account and pay your Assessment. If only homeowners would read them before going online.....(Instructions are viewable/available on the website.)

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So far 40+homeowners have created their own accounts and several also have paid via online credit card. Organizing and managing the data output from eSoft is an ever-evolving task. Karen organized and led the first “homeowner training” on eSoft account creation via ZOOM on 2/23. Another session is planned for later in the Spring.

f. Audit Coordinator (Mark Foraker):

The audits are in process. Mark is coordinating with Dave Pullen and Larry Vaught to start work on the financial requests from the auditor and a revised timeline will be given once available.

f. Budget Planning (Dave Pullen)

Nothing further expected until August-September timeframe for drafting next year’s budget.

5) Governing Documents Committee (Elliot Chabot, Chair):

a. HOA document requests

Requests for HOA documents, etc. handled by the Chair of the Governing Documents Committee (February 2021):

1. 14125 Beechvue Lane - FY21 dues amount
2. 2800 Bel Pre Road - HOA documents
3. 2607 Belle Crest Lane - opt-in process (home is in SBP, but outside BPRA)
4. 13904 Bethpage Lane - HOA documents
5. 13904 Bethpage Lane - covenant enforcement
6. 3005 Birchtree Lane - HOA documents
7. 14025 Breeze Hill Lane - fence covenants
8. 13900 Broomall Lane - status of accounts and certificate of insurance
9. 14008 Burning Bush Lane - HOA documents
10. 14008 Burning Bush Lane - status of accounts

b. Proposed amendments to the Plan of Organization

At its February 2, 2021, meeting, the Board tasked the Governing Documents Committee with conducting a review of the Plan of Organization and presenting the Board with its recommendations. The Committee met on February 16 and 25 and has made substantial progress reviewing and revising over 50 proposed amendments to the Plan. The Committee plans to meet in March to finalize its draft and will then forward the finished proposal to the Board for action at the Board’s April 6 meeting.

c. Documents Retention Policy

The Governing Documents Committee needs to finish drafting the Documents Retention Policy.

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d. Conflict of Interest rules

At the January 5, 2021, Board meeting, the Governing Documents Committee was assigned to develop a written policy on conflicts of interest. The BPRA's current rules dealing with conflicts of interest, bad faith, and similar topics are set out in:

- *Henry v. Guirand*, Maryland Court of Special Appeals case no. 2325, January 19, 2014;
- Maryland Corporations and Associations Code, §§ 2-405.1 and 2-419; and
- BPRA By-Laws, Article XII, § 3.

These rules, as implemented by the Board in recent years can be boiled down to:
The written rules that govern the BPRA dealing with conflicts of interest, bad faith, and similar topics are set out in:

- *Henry v. Guirand*, Maryland Court of Special Appeals case no. 2325, January 19, 2014
- Maryland Code, Corporations and Associations Article, §§ 2-405.1 and 2-419
- BPRA By-Laws, Article XII, § 3

These rules, as implemented by the Board in recent years can be boiled down to:

- A member of the Board must abstain from voting on any proposal that would personally benefit the Board member or any member of the Board member's family. Likewise, a member of a committee must abstain from voting on any proposal that would personally benefit the committee member or any member of the committee member's family.
- A Board member should also refrain from advocating for any proposal that would personally benefit the Board member or any member of the Board member's family. Likewise, a committee member should refrain from advocating for any proposal that would personally benefit the committee member or any member of the committee member's family.
- When anyone has been authorized by the Board to spend BPRA funds (or to authorize the expenditure of BPRA funds), that person may not – without specific authorization from the Board – personally benefit from the expenditure (nor may members of their family).
- A Board member (or a committee member) who would benefit personally (or where a member of the person's family would benefit personally) from a proposal before the Board (or before any committee that the person is a

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member of) must disclose that to the Board (or committee) before action is taken by the Board (or committee) on the proposal. The disclosure should be included in the minutes of the meeting.

- A proposal that would benefit the entire community, but only incidentally benefits members of the Board or a committee (e.g., setting the date for the pool to open to the entire membership) is not a personal benefit to the Board or committee member (or their family).
- An appointment to a position that does not receive compensation is not a personal benefit to the person being appointed.
- Where the BPRA has a history of purchasing a service from a person who is not a Board member, the Association may purchase that service from a Board member (or a Board member's family), if the amount charged the BPRA is significantly less than the Association was previously paying. In that situation, the Board member must abstain from voting on the proposal, should not make the motion to accept the proposal, and should not participate in the Board's discussion except to answer questions from other Board members.

It was suggested at the Board's January 5, 2021, meeting that each member of the Board annually sign a statement that they have read and understand the conflict of interest policy.

e. Covenant enforcement

Once work is done on the Plan of Organization review, the Documents Retention Policy, and the Conflicts of Interest Policy, the Committee plans to focus on developing a written policy on covenant enforcement. Issues to be examined include:

- Pool and Assessments Covenants vs. Land Use Covenants
- Funding covenant enforcement
- Cost of enforcement litigation
- Fairness in use of BPRA resources
- What is the level of community support for expanded covenant enforcement?
- Is traditional HOA enforcement of land use covenants adversarial?
- What is the enforcement tradition in our community?
- How does BPRA's tax status impact covenant enforcement?
- What is the overlap between the land use covenants and current county, state, and federal laws?
- Practicality of enforcement
- Property values and covenant enforcement
- Right of individual members to enforce by law suit

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- Right of neighborhoods to amend the land use covenants
- Comparison of the Land Use Covenants in different Sections within Strathmore at Bel Pre
- Did Levitt & Sons intend that the BPRA enforce the Land Use Covenants?
- Who are the successors to Levitt & Sons?
- What should be BPRA's role in Land Use Covenant enforcement?
- How should to respond to individual requests for BPRA enforcement

f. Special Projects

- Identifying the section number for each street address within the BPRA. Once this is done, the list can be used to greatly simplify the process of responding to HOA document package requests.

6) Nominating Committee Report (Mark Foraker, Chair):

Outreach to the community regarding committee and Board service is ongoing.

7) Long Term Planning Committee (Karen Purdy, Chair):

No meetings currently scheduled. Next steps: find an architect to discuss bathhouse concepts and options with.

8) Grounds and Landscaping Report (Ted Bechtol, Chair):

We should have a proposal from Kollins for the 2021 season by Tuesday's meeting.

Have not heard back from Casey Tree regarding the tree assessment.

Nothing new on the Memorial tree plaques for Louisa Hoar.

9) Tennis Courts Committee (Dave Pullen, Chair):

Following the Board's approval to finalize a contract with Mid-Atlantic Asphalt based upon its 2020 proposal, I have spoken with MAA's rep and am awaiting receipt of updated documents reflecting revisions/decisions made since the proposal was submitted (e.g., clarification that two pickleball courts (not four) overlaid on one tennis court is desired; explanations of terms

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identified as needing clarity; and requests for pricing of extended warranty pricing. Updated documents from the vendor are expected momentarily. Once we receive the updated documents and pricing requests, a firm contract price can be established (within the upper bounds approved by the Board).

10) Administrative Assistant's Report (Brenda Henry, Administrative Assistant):

The full Administrative Assistant's Report is distributed to the Board monthly. Please see that report. kp

11) Pavilion Scheduler/Pool Pass Coordinator/Tennis Court Keys Distributor – (TBD):

Louisa Hoar has completed her end of season tasks and turned over materials to Karen Purdy. Tennis Court key distribution responsibilities and materials have been turned over to Jim Eaton. kp

12) MapMaster Report (Paul Spelman):

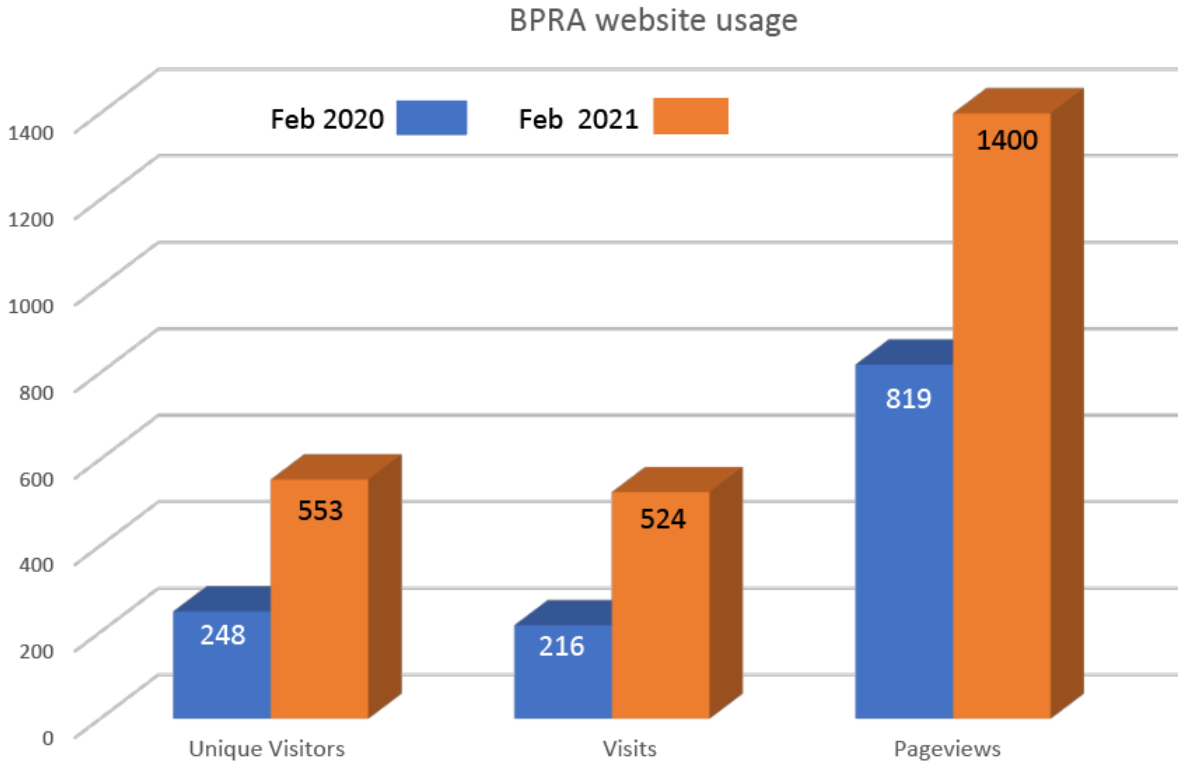
Working on adding overlay to the [community map](#) to show each of the "sections" of Strathmore Bel Pre.

13) New Member Recruitment Report (Coordinator TBD)

Nothing new to report. See Administrative Assistant's Report for current status. kp

BPRC Committee Reports and Updates for the March 2021 BPRC Board of Trustees Meeting

14) Web Master Report (Billy Ruppert):



Visits by Device	Feb 2020	Feb 2021
Desktop	146	426
Mobile	65	91
Tablet	5	7