

## **BPRA Committee Reports and Updates for the May 2022 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 (Maria Stagnitto, Chair):**

Joe, Ted, Billy, Rod, and Mark have been working on the punch list from our walkthrough meeting. Joe has replaced the lock on the gate by the pool perimeter.

Ethan will not be returning as our pool manager. I am waiting to hear from Clark who our pool manager will be.

Clark has not received a quote for insurance yet.

I am hoping to have this information before our Board meeting and I will update the Board then.

Snack Bar: Rod is putting together a plan for the snack bar, including a revised menu and hours of operation. More information is forthcoming in the next few months. kp

### **2) Entertainment and Recreation Committee (Chris Swan, Chair):**

#### **a. Movies (changes)**

- Movie nights are scheduled for the first Saturday of the month - May through September: May 7 (Encanto), June 4 (Spider-man: No Way Home), July 2 (Princess Bride), August 6 (West Side Story - 2021 version), and September 3 (Disney's Jungle Cruise).
- The May 7 one would be a drive-in movie, in the parking lot.
- The pavilion is reserved for the nights of the June to September movies, in case we have rain and need to move the movie to the pavilion.

#### **b. Spring Thing (Cookie Stagnitto, Coordinator)**

- The Spring Thing will be Saturday, May 14, from 2pm to 4pm, with a rain date of May 15.
- Maria Stagnitto will chair the event.
- Updates since the last Board meeting:
  - I have confirmation from nine political candidates that they will be attending this event.
  - I also have confirmation from three local businesses/organizations that they will also be attending this event.
  - Claire will be coordinating the advertising.
  - The Over 60 club will also be highlighting their gardening group and Cecily will be highlighting her Birdathon.

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### **c. Yard Sale**

- The Civic Association has decided to hold the Yard Sale in the Fall - **date September 24 (with September 25 rain date)**.
- Parking lot use will be requested at **the May 3 BPRA Board meeting**.

### **d. Summer Music Concerts**

- Hope to have proposed dates by the **June** BPRA Board meeting. **The Kominskis have agreed to perform on Sunday, July 17.**
- Paulette Ladas has offered to sponsor a food truck. The Civic Association Board is considering this at one of the concerts.

### **3) Neighborhood Dispute Resolution Committee (Chair TBD):**

There are no updates this reporting cycle.

### **4) Finance Committee (Dave Pullen, Chair):**

#### **a. Bookkeeper (no change since last report)**

We continue pursuing/considering a relationship with Barbara J Smith Accounting and Arrow Bookkeeping, a Silver Spring-based firm, to serve as BPRA Bookkeeper.

#### **b. Assessment Collections**

2022 Assessment payments have now been *received* from 91% of the membership as of 4/27 – we achieved resolution with 43 delinquent accounts so far. This still leaves 61 homeowners whose payments have not yet been received (not counting accounts at SCHILD).

#### **c. Reimbursements from SBPCA and Dolphins Swim Team**

In March, we billed SBPCA and Dolphins for their share of “convenience and transaction” costs associated with online payments. In late April, we billed both organizations for their respective shares of Assessment mailing expense.

#### **c. Overdue Collections/Schild Law Group**

A total of 9 homeowners remain within SCHILD’s scope of action on behalf of BPRA (7 who owe 2021 Assessment in full; 1 who paid BPRA (after referral) the base Assessment but not any of the legal fees; 1 who has a SCHILD-approved payment plan in place). (NOT referred to SCHILD is one homeowner who owes BPRA less than \$60 of unpaid 2021 Assessment money -- paid the base Assessment but not late fees, interest, or collection costs). One “long-term” delinquent account recently indicated a willingness/intention to pay all back fees; owner discussions with SCHILD to accomplish that are actively underway.

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### **d. Assessment Assistance Committee**

No requests for relief have been filed with the Assessment Assistance Committee this year.

### **e. Change in BPRA Fiscal Year and “Short Year” Tax Return**

Larry Vaught is on target to complete our “short year” tax return in April. The return must be completed before we can file our “automatic approval” application to change our fiscal year to align with the calendar year.

### **f. Roll-out of Electronic/on-line Pool Management Services (eSoft)**

The StrathmoreBelPre.org pages associated with eSoft Planner have been revised. kp

### **g. Audit Coordinator (Mark Foraker)**

An update will be provided at the May meeting.

### **h. Finance Committee (Dave Pullen)**

No meetings are planned at this time. A summer-time meeting is anticipated to discuss possible amendments to the BPRA Assessment Collections Policy, and to begin 2023 budget planning.

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

### **a. HOA document requests (updated)**

Requests for HOA documents, etc. handled by the Chair of the Governing Documents Committee (April 2022):

1. 13929 Bethpage Lane - status of accounts
2. 14005 Bethpage Lane - HOA documents
3. 3212 Birchtree Lane - status of accounts
4. 2821 Blue Spruce Lane - HOA documents
5. 2604 Bluhaven Court - status of accounts
6. 14001 Broomall Lane - HOA documents
7. 5 Deckman Lane - drafted Supplemental Declaration, so that the property can join BPRA
8. 6 Hathaway Court - drafted Supplemental Declaration, so that the property can join BPRA
9. 13407 Norden Drive - answered questions about status of audits, law suits, fidelity insurance, and the BPRA's financial position
10. 13405 Rippling Brook Drive - rules concerning sheds

### **b. Waiver of liability (updated)**

At its March 1 meeting, the Board declared the Recreational Facilities Policy to be reinstated, with the proviso that the Policy should reflect that users of the facilities accept the risk of COVID-19 and other hazards. The Governing Documents Committee was tasked with drafting

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a suitable provision for **Board approval**. The Committee met on March 15 and April 21 and **has submitted** its recommendations to the Board.

The committee's proposal concerning waiver of liability focuses on the liability of members and their households. It may be useful for the committee, at some point, to look at guest liability issues.

### **c. Conflict of Interest rules (updated)**

The Committee met on March 15 and April 21 and **has submitted** its recommendations to the Board.

### **d. Documents Retention Policy (no changes)**

The Governing Documents Committee last met on Thursday, July 29, 2021, to work on the Documents Retention Policy. The Committee has agreed on minimum retention dates for documents (by category) and come to at least preliminary agreement on how each type of document should be stored and in what format. The Committee plans to resume work on drafting this policy this year.

### **e. Covenant enforcement (no changes)**

Once work is done on the Documents Retention Policy and the Conflicts of Interest Policy, and recommending adjustments to the Plan of Organization to conform to 2021 changes in the Maryland Homeowners Association Act, 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?
- Practicality of enforcement
- Property values and covenant enforcement
- Right of individual members to enforce by law suit
- Right of neighborhoods to amend the land use covenants
- Comparison of the Land Use Covenants in different Sections within Strathmore at Bel Pre and what is the overlap between the land use covenants and current county, state, and federal laws

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- In the 2021 session of the State Legislature, the Legislature placed restrictions on the authority of HOAs to regulate:
  - Composting - Maryland Homeowners Association Act § 11B-111.9
  - Electric vehicle charging equipment – Maryland Homeowners Association Act § 11B-111.8
  - Low-impact landscaping - Maryland Real Property Code § 2-125
  - Portable basketball apparatus - Maryland Real Property Code § 2-124
- Other county, state, and federal laws specifically limit HOAs authority to regulate:
  - Antennas - FCC Over-the-Air Reception Devices Rule (47 C.F.R. § 1.4000)
  - Clotheslines - Maryland Real Property Code § 14-130
  - Facilities for individuals with disabilities and group homes – Fair Housing Act (42 U.S.C. § 3601, et seq.); and Fair Housing Act Regulations (24 C.F.R. part 100)
  - Family day care homes and no-impact home-based businesses – Maryland Homeowners Association Act § 11B-111.1
  - Political signs - Maryland Homeowners Association Act § 11B-111.2
  - Roof materials - Montgomery County Fire Safety Code § 22-98
  - Solar panels and other renewable energy devices – Maryland Real Property Code § 2-119(b); and Montgomery County Code § 40-3A
  - U.S. flag - Freedom to Display the American Flag Act of 2005 (4 U.S.C. § 5 nt., Pub. L. 109-243, 12 Stat. 572); and Maryland Real Property Code § 14-128
- 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 the BPRA respond to individual requests for BPRA enforcement?
  - General rules
  - Complaints concerning discrimination by race, color, religion, sex, etc.
  - Accessory dwelling unit licenses
  - Duplexes and other multi-family construction

### **f. Special Projects (updated)**

- Continued identifying the section number for each street address within the BPRA -- this month added:
  - Bluhaven Court
  - Broomall Lane

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- Norden Drive
- Northgate Lane (one property on Northgate is in Strathmore at Bel Pre)
- Notre Dame Lane

Also updated the information for Regina Drive.

Initially, this is being used to update the “Streets within SBP” webpage.

Once all the homes in SBP have been done, the list can be used to greatly simplify the process of responding to HOA document package requests.

- History project - we now have a nearly complete set of copies of the minutes from:
  - September 19, 1966 (the first meeting of the Board of Directors) to January 22, 1976
  - January 27, 1978 to April 30, 1986
  - October 22, 1990 to December 6, 1993
  - February 22, 1999 to December 20, 2004
  - August 22, 2005 to the present (missing Board minutes for 8/2/16, 9/10/16, 3/18, 4/18 monthly meeting, and 4/18 property walk-through; and annual meetings for 2016-19)

Some of the copies of the minutes are missing attachments that are referenced in the main text of those minutes.

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

Nothing to report this month.

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

No meetings currently scheduled. Next steps: find an architect to discuss bathhouse concepts and options with. On hold pending the results of the Reserve Study.

Reserve Study: A site visit was held on Wednesday, March 23, 2022 with PM+ Reserves (Stacey O’Bryan.) Karen Purdy, Ted Bechtol, Joe Moeller and Maria Stagnitto attended on

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behalf of the BRPA. Additional information was sent to PM+ Reserves after the site visit. On 5/2/22, PM+ Reserves sent a list of questions and additional information needed. Karen will gather the requested information and respond.

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

A request will be made for spring fertilizer, and grass seed materials to be applied during the month of May, not to exceed \$500.00.

Kollins has completed their spring clean up and mulching work. Additionally they completed the brush clearing along the fence line and removed a full truck load of debris.

Commemorative trees: A 2.5" caliper White Oak was planted for Brenda Henry. As it was just one tree it was acquired and planted by Billy Ruppert and Ted Bechtol at a cost of approximately \$345.

Rubber playground mats have been installed under the 5 swings. Additionally Kollins has installed wood chips for the season and old landscape timbers were replaced around the playground equipment.

The next date for the garden volunteers is Thursday May 5th, first work date was a big success with 6 volunteers working 1.5hrs each, their efforts are greatly appreciated.

### **9) Tennis & Pickleball Courts Committee**

New benches and trash cans have been installed. This exhausts the funding approved by the Board. Committee members are organizing to support on-court activity during the "Spring Thing" event. Mid-Atlantic Asphalt Company has completed its annual power-washing of the courts. We are seeking discussions with the company to discuss responsibility for, and remediation of, emerging cracks and (what appear to be) repair failures on the courts.

### **10) Administrative Assistant's Report:**

This position is vacant. No report is being produced. kp

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

Jim Eaton is responsible for tennis/pickleball court key distribution.

Carmen Wong has agreed to take over as Pavilion Scheduler.

Karen Purdy has been taking care of eSoft Planner issues.

We need a volunteer to take over administration of eSoft Planner. Hoping to transition this position to someone else in the next month. kp

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### **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 (Dave Pullen, *Pro Tempore*)**

Two opt-in properties recently have joined BPRA:

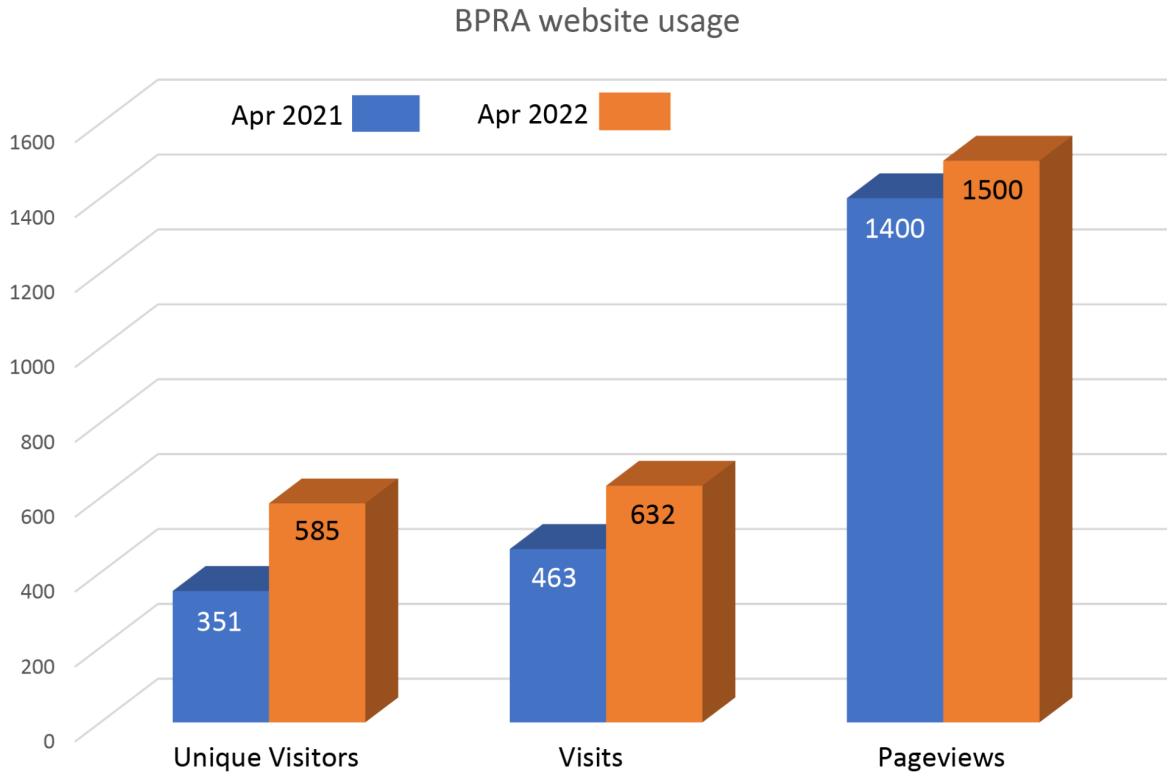
6 Hathaway Court (Silvio Morales & Julie Palencia)

5 Deckman Court (Bethany & Adam Johns).

### **14) Web Master Report (Billy Ruppert):**



## BPRC Committee Reports and Updates for the May 2022 BPRC Board of Trustees Meeting



Visits by Device	Apr 2021	Apr 2022
Desktop	355	403
Mobile	126	196
Tablet	2	4