

## **BPRA Committee Reports and Updates for the June 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):**

As Karen shared with all of you, the storm on Friday, 5/27/22, caused major damage on the hill. A hickory tree blew into an old oak tree which blew into 2 cherry trees. They all came (tumbling) down. The tree service was there Saturday morning, 5/28/22, before the pool opened. Part of the fence was also damaged as was one picnic table. Joe has been dealing with the fence, the picnic table and multiple other ongoing maintenance issues. Ted has been filling in the holes left behind and helping with cleaning up. Dave is following up with insurance. See 4g below.

#### **Thank you to all of you for your work!**

Our new pool manager is Dillion Haines. I had several meetings with Dillion in the week leading up to the pool opening. Due to personal reasons, Dillon has not been at the pool since it opened. He and I have spoken and hopefully we will have an in person meeting before the Board meeting. There were several concerns over the long weekend in part due to the huge attendance at the pool.

I have received updated figures from Clark but I need to get invoices from him to determine what our increase in cost is for the 2022 season. Hopefully, I will have this for the Board meeting.

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

#### **a. Movies (no 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 has been 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)**

- Was moved to Sunday due to the weather forecast on Saturday. We had an excellent turnout from the community. All the candidates could not join us on Sunday but we still had 13 in attendance.

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### **c. Yard Sale & Shred-It (updated)**

- The Civic Association has decided to hold the Yard Sale in the Fall - date September 24 (with September 25 rain date). Parking lot use **was approved** at the May 3 BPRA Board meeting.
- **Paulette Ladas would like to conduct Shred-It on September 24, from 9 am to noon, rain or shine. The Civic Association is happy to partner with the Shred-It, and run both events simultaneously.**

### **d. Summer Music Concerts (updated)**

- The Kominskis have agreed to perform on Sunday, July 17, **from 4 to 6 pm. Need approval at the June Board meeting for use of the pavilion for this concert.**
- **Tony M, a children's entertainer, has agreed to perform on Sunday, July 31, from 3 to 5 pm. Need approval at the June Board meeting for use of the pavilion for this concert.**
- Paulette Ladas has offered to sponsor a food truck. The Civic Association Board is considering this at one of the concerts.

### **e. BlocktoberFest (new)**

- Proposed dates for the fall 2022 BlocktoberFest are October 15, with a rain date of October 16. Scout Troop/Pack 763 is available that weekend to assist and provide kids' entertainment. Need Board approval for the dates.

### **f. Trunk or Treat (new)**

- Proposed date for the fall 2022 Trunk or Treat is October 30, with no rain date. Need Board approval of parking lot use for the date.

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

There was a complaint submitted through the website regarding a neighbor displaying a sign that was antagonistic. We followed up with the person who submitted the complaint and stated that reporting the issue to 311 was the most appropriate approach. The County is better equipped to determine if the sign is inappropriate or in violation of any rules on displaying signs or political messaging.

## **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.

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### **b. Assessment Collections**

2022 Assessment payments have now been *received* from 94.68% of the membership as of 6/1/ – we achieved resolution with 64 delinquent accounts so far. This still leaves 39 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. We have received full reimbursement from SBPCA and partial reimbursement from Dolphins (one check is in “mail delivery limbo”).

### **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 completed payment of all prior-year and current year balances; another multi-year delinquent is in discussion with SCHILD seeking a payment plan. While SCHILD is authorized to negotiate such plans, we have requested that they insist that any plan result in full pay-back within a reasonable period of time of less than a year.

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

A homeowner contacted me in May inquiring whether he/she may negotiate a payment plan. I will call her to discuss her parameters and then engage the Committee to determine whether it will accept an application this late.

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

Larry Vaught completed our “short year” tax return in April, and filed it electronically after review by the President and Treasurer. Now we are moving forward to file our “automatic approval” application to change our fiscal year to align with the calendar year.

### **f. Tightening Procedures for Reporting Guest Pass Purchases**

We are working with the new on-site Pool Manager to implement better controls over reporting and accounting for cashbox transactions (guest pass purchases).

### **g. Insurance Claim Filed**

As a result of the recent tree damage to the Pool Property, including fencing, we have initiated a claim with Nationwide Insurance. First steps are collecting invoices for tree removal work and costs for related repairs (fence; shrubs; lawn; etc.)

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

Roll-out is complete. This item will be removed from the next report. kp

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

An update will be provided at the June meeting.

### **j. 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 (May 2022):

1. 3301 Beret Lane - HOA documents
2. 3301 Beret Lane - covenants concerning recreational vehicles
3. 14005 Bethpage Lane - covenants concerning fences, screened porches, and sunrooms.
4. 13404 Bingham Court - HOA documents
5. 2821 Blue Spruce Lane - status of account
6. 14001 Broomall Lane - status of accounts

### **b. Recreational Facilities Policy updates (new)**

Items to be considered in the next update of the Recreational Facilities Policy:

- Revise § 216 (Summer Entertainment Series and Summer Community Affairs Forum Series) to implement the Board's April 5, 2022, decision that guest fees be waived for anyone while attending Summer Entertainment Series events. Possibly also include Summer Community Affairs Forum Series events.
- In § 606 (Attendance Limits) - replace "Fifty Plus Club" with "Over 60 Club"
- Section 607 (Guest List) uses the word "guest" two different ways. To avoid ambiguity, replace "expected guest list" with "expected attendees list".
- In § 609 (Fees) - replace "Fifty Plus Club" with "Over 60 Club"

### **c. 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.

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### **d. 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
  - 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

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- 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 – particularly for Beret Lane, Beret Place, Bingham Court, and Blue Spruce Lane.

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):**

Outreach to the community is in process.

### **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.

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### **Reserve Study:**

- A site visit was held on Wednesday, 3/23/22, with PM+ Reserves (Stacey O'Bryan). Karen Purdy, Ted Bechtol, Joe Moeller and Maria Stagnitto attended on 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. On 5/5/22, Karen sent the requested information to PM+ Reserves.
- On 5/10/22, PM+ Reserves sent a draft Reserve Study.
- On 6/2/22, Karen Purdy, Ted Bechtol, Joe Moeller, Maria Stagnitto and Dave Pullen met via Zoom with PM+ Reserves (Stacey O'Bryan) to review the draft study. Karen will send additional information and questions to PM+. PM+ will revise the study based on the meeting and additional info to be sent and send a revised draft. There may be several versions of draft study before it is ready to present to the entire Board.

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

On Friday May 27th a severe storm moving through the area toppled a hickory and a very large oak tree near the perimeter fence beyond the dumpster location. In falling approx. 4 other smaller trees were severely damaged and fortunately the trees fell just short of the Pavillion. About 55' of chain link fence was damaged, as were 4 crape myrtle trees recently planted, and one picnic table. JC Tree Service responded quickly to evaluate the damage and scheduled the cleanup for Saturday, Opening Day. Dave Pullen is preparing an insurance claim and costs are being compiled.

Commemorative trees: We will need text developed for a sign for the Brenda Henry commemorative tree.

The Garden Club folks have gotten the pool in great shape for the Spring Thing and pool opening Memorial Day weekend. A watering schedule will be established so that ornamental plantings will continue to thrive through the summer.

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

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

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### **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 is filling in for Carmen while she is away. Several facility requests will be on the 6/7 agenda.

Karen Purdy has been taking care of eSoft Planner issues.

We have a possible volunteer to take over administration of eSoft Planner. Hoping to transition this position to her this summer. 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 (no change since last report)**

Two opt-in properties recently have joined BPRA:

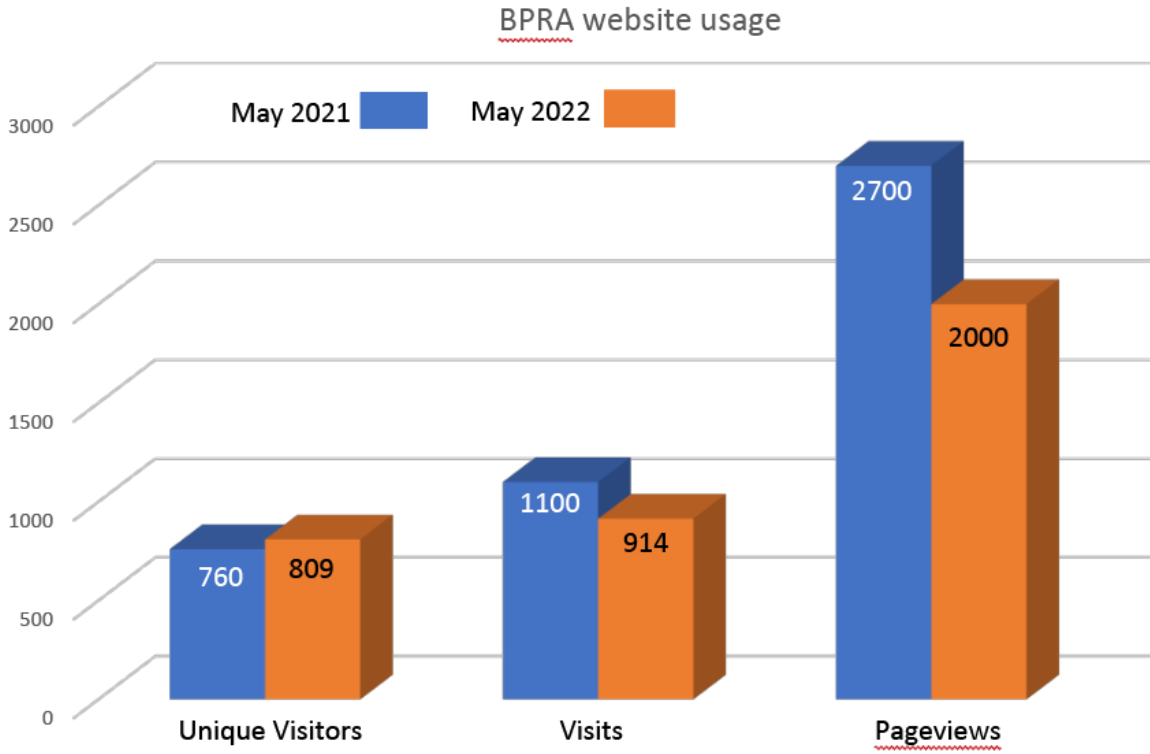
6 Hathaway Court (Silvio Morales & Julie Palencia)

5 Deckman Court (Bethany & Adam Johns).



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

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



Visits by Device	May 2021	May 2022
Desktop	724	485
Mobile	396	423
Tablet	18	7