

BPRA Committee Reports and Updates for the December 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 (Ted Bechtol, Chair):

Georgetown Aquatics Contract: Clark has closed out the pool for the season, as a reminder he does check the pool periodically over the winter months.

We have scheduled a 2023 contract negotiation meeting for Dec 6th to work out a variety of increased costs for GA.

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

Trunk or Treat

- The fall 2022 Trunk or Treat was held October 29, from 5 pm to 7 pm.
- Thanks to Sara Foraker for the excellently designed flyer.
- Thanks to Daniel Breeden for the great music.
- There was a good turn out and everyone there had a great time!

3) Neighborhood Dispute Resolution Committee (Chair TBD):

Nothing new to report.

4) Finance Committee (Dave Pullen, Chair):

a. Bookkeeper (no change since last report)

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

b. Assessment Collections

2022 Assessment payments have been received from 98.6% of the membership as of 11/31. Further, we have achieved resolution with 94 delinquent accounts so far. This still leaves 9 homeowners whose payments have not yet been received (not counting accounts at SCHILD). Of the 9 outstanding, 8 owe the full amount plus penalties, interest, and collection costs (currently, \$422.50 – with additional interest accruing on the first of every month); and one owes \$20.25. Per the BPRA Assessment Collections Policy, all accounts not paid in full by the end of September have been referred to SCHILD Law Group for collection. (Actual referral was completed 10/31 in an attempt to resolve as many accounts as possible without the necessity of referral.)

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c. Overdue Collections/Schild Law Group (no change from previous report)

A total of 7 homeowners remain within SCHILD's scope of action on behalf of BPRA (4 who owe 2021 Assessment in full; and 3 who have a SCHILD-approved payment plan in place). One delinquent homeowner's account was scheduled for trial in Maryland District Court 10/24. The presiding judge that day encouraged the parties to attempt on-site mediation; that attempt did not produce a settlement agreement, but we agreed to provide the homeowner additional time to provide documents he claims to possess showing his account is paid in full. Lacking settlement, a new trial date will be set "in regular course."

d. Assessment Assistance Committee (no change from previous report)

No claims are pending before the Committee.

e. Change in BPRA Fiscal Year and "Short Year" Tax Return (no change from last report)

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. 2022 Guest Pass Purchases (no further reports until 2023 pool season)

2022 gross receipts from guest passes came in at \$2,832. NOTE: this includes fees associated with several large "private parties" held at the Pavilion this year, and which are unlikely to repeat in 2023.

g. Insurance Claim Filed (no change)

Our insurance claim as a result of the 5/27 tree damage to the Pool Property, including fencing repair, has yielded an initial payment to BPRA of \$6,950 (after deductible). Fence repair costs (\$950) are fully covered; tree removal cost is *under-paid* by approximately \$1200. No additional (supplemental) payout will be made.

i. Audit Coordinator (Mark Foraker)

No updates since the October meeting.

j. Finance Committee (Dave Pullen) (no change)

The 2023 draft budget was distributed to the membership as part of the Annual Meeting Notice. (Note: the budget is not formally adopted until the newly elected Board meets, either in December, or more likely in January.) Upon approval of the budget, the Committee will next review new, legislated, procedures for any action that deprives an HOA member of his/her rights. This may affect how we assess late fees, etc. as well as our existing procedures for suspending members' access to the Pool Property, whether due to delinquent payments or "behavioral" issues ("breaking the rules" while on the Pool Property). This review will be closely coordinated with the Governing Documents Committee.

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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 (November 2022):

1. 13828 Beacon Hollow Lane - HOA documents
2. 2614 Beechmont Lane - status of accounts
3. 2931 Birchtree Lane - HOA documents
4. 2931 Birchtree Lane - status of account
5. 3017 Birchtree Lane - solar panel covenants
6. 3011 Bonview Lane - HOA documents
7. 13400 Norden Drive - HOA documents
8. 13400 Norden Drive - transfer fee and fiscal year information
9. 13824 Rippling Brook Drive - status of account

b. Recreational Facilities Policy updates (no changes)

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 worked on the Documents Retention Policy on July 29, 2021. 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 will resume work on drafting this policy when time permits.

d. Covenant enforcement (no changes)

The next big project for the Committee will be drafting the Land Use Covenant Enforcement Policy. 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

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- 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
 - 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

e. Opt-In Homes and Other New Memberships (no changes)

When time permits, the Committee will attempt to codify and update the policy that the Board adopted May 2, 2017, on how homes within Strathmore Bel Pre that are not currently within the BPRA can join the BPRA. Also, the committee will look at what the process should be for homes that are just outside of Strathmore Bel Pre, but want to join (e.g., the Layhill Village

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homes on Village Lane and Rippling Brook Drive; and the Georgian Forest homes on Verona Court).

f. Special Projects (updated)

- Continued identifying the section number for each street address within the BPRA – **this month added:**
 - Baywood Court
 - Beauwick Court
 - Beechmont Lane (revised)
 - Bellmawr Court
 - Bluff Point Lane
 - Bonsal Lane
 - Bonview Lane
 - Briar Path Lane
 - Hathaway 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):

No change since August. The processes and procedures have been followed for the election in November and we have put forward four candidates for the four open seats.

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.
- On 6/13/22, additional information was sent to PM+.
- On 7/5/22, PM+ sent a revised Reserve Study.
- A meeting was held on Tuesday, 8/9/22, 7:30pm via Zoom. PM+ Reserves presented the most recent version of the reserve study to those members of the Board that were present.
- Karen sent an email to PM+ Reserves requesting a few minor changes to the text of the Reserve Study. Numbers will not change.
- At the September 13, 2023 BPRA Board Meeting, the Board voted to adopt the PM+ Reserves study provided the requested changes (see above) are made.
- On September 29, 2022, Karen forwarded the final Reserve Study (9/21/22 version) to the Board. The study will be available to the membership on a password protected page on the website. Karen will work with webmaster Billy Ruppert to post the Reserve Study. The password will be distributed to the membership in the annual meeting mailing.
- The 2022 Reserve Study is available on the website. A Reserve Study menu item was added to the Rec Association drop down menu.
- Due to an error, the password for the Reserve Study was not included in the annual meeting mailing. Instructions for accessing the password are included in the annual meeting notice posted on the website.
- The 2022 Reserve Study was reviewed at the annual meeting.

Five-Year Plan:

- An updated draft Five-Year Plan was sent to the Board for review on September 29, 2022. The plan was discussed at the October 6, 2022 Board Meeting.
- The Board adopted the Five-Year Plan as presented at the October 6, 2022 Board Meeting.

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

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Kollins has completed their final leaf removal and is closing out their season. Roofs for both buildings will be blown off one more time before the winter. Grounds will be monitored over the winter months for storm damage and any other issues.

9) Tennis & Pickleball Courts Committee

Senior Mid-Atlantic Asphalt Company representatives re-visited the BPRA tennis/pickleball courts to review apparent cracks, etc. and to discuss responsibility for, and remediation of, same and/or other repair failures on the courts. No written follow-up has yet been received. Remediation is now planned for Spring 2023. Members have reported decay of net straps on the pickleball courts. We will research best replacement options (costs) and seek funding for same in early 2023.

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 is Pavilion Scheduler.

Karen Purdy has been taking care of eSoft Planner issues.

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)

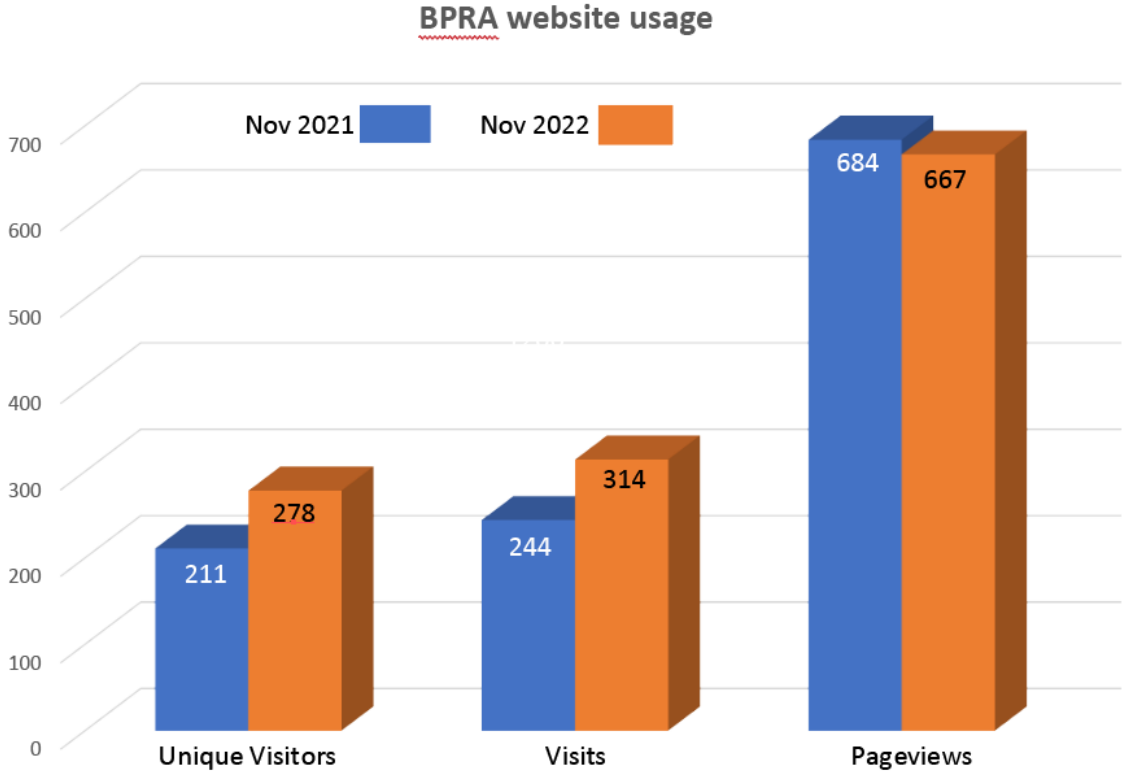
Two opt-in properties recently have joined BPRA:

6 Hathaway Court (Silvio Morales & Julie Palencia)

5 Deckman Court (Bethany & Adam Johns).

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

14) Web Master Report (Billy Ruppert):



| Visits by Device | Nov 2021 | Nov 2022 |
|------------------|----------|----------|
| Desktop | 182 | 258 |
| Mobile | 61 | 55 |
| Tablet | 1 | 1 |