

BPRA Committee Reports and Updates for the March 2024 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 (Jay Staggs, Chair):

Roof still in discussion to be repaired vs replaced.

GA Contract is signed.

2) Entertainment and Recreation Committee (TBD):

Spring Thing - will provide update at meeting.

Will request movie night date approval – Saturdays: June 1, July 6, August 3, August 31 on the hill with pavilion as rain location. kp

3) Neighborhood Dispute Resolution Committee (Patrick Welteroth):

- Nothing new to report as of 03/02/2024. Updates on prior items below. Sadina desires to speak with the Board regarding her ongoing issues mentioned below.
- Sandina Wagner of 2405 Dressler Lane decided not to pursue further action with her neighbor Ruebin (Enrique R. Coello) of 2402 Dressler Lane regarding commercial vehicles, RV parked in yard, and trash outside trucks at the end of day. She said that she would try to talk to Rueben again before deciding to call 311. Update: Sadina desires to speak with the Board at our next meeting and will be calling 311 with Patrick's help.
- Never heard anything more from Dawnyel Pryor of 3016 Beaverwood Lane regarding neighbor who is building a large secondary dwelling/shed type unit in her backyard

4) Finance Committee (Dave Pullen):

a. Bookkeeper (no change)

I am re-focusing on finding a long-term solution for bookkeeping services, and have reached out (again) to Arrow Bookkeeping, a Silver Spring-based company, to see if they are taking on new clients. If others have recommended providers, please let me know!

b. Assessment Collections

2024 Assessment payments have been received from 382 homeowners as of Saturday 3/2 so we are just a little over half-way to full compliance.

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

3-5 cases are pending for assignment of hearing by the District Court. SCHILD reports that – for whatever reason – requests for court dates for “new” cases appear to be receiving faster scheduling than existing cases.....We are informed that a long-term delinquent owner passed away last August. SCHILD discussions with the decedent’s representative are underway as a likely precursor to sale of the property.

d. Assessment Assistance Committee (no change)

We are reviewing and finalizing the committee’s form for 2024 applications.

e. Tax Return Filings

Larry Vaught has agreed to prepare BPRA’s tax returns again this year. Cost is expected to be within the amount approved by the Board at the last meeting.

f. 2024 Guest Pass Purchases

Not relevant until Pool Season.

g. Audit Coordinator (Mark Foraker)

No update.

h. Finance Committee (Dave Pullen)

The Board adopted the 2024 Budget at its January meeting and set the Assessment rate at \$400 for 2024.

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 (**February 2024**):

1. 2925 Beaverwood Lane - HOA documents
2. 2701 Beechmont Lane - HOA documents
3. 3101 Birchtree Lane - shed and fence covenants
4. 2808 Blazer Court - solar panel covenants
5. 2807 Regina Drive - opt-in rules

b. Covenant enforcement (updated)

The Committee **discussed** the creation of a Land Use Covenant Enforcement Policy at its February 20, 2024, meeting. **The discussion focused on:**

- Levitt & Sons vision for Strathmore Bel Pre

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- 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
- Did Levitt & Sons intend that the BPRA enforce the Land Use Covenants?
- Who are the successors to Levitt & Sons?
- Litigation concerning BPRA enforcement of the Land Use Covenants
 - *Ramsay v. Bel Pre Recreation Association, Inc.*, Montgomery County Commission on Common Ownership Communities, case no, 369-O (May 18, 1998).
 - *Henry v. Guirand*, Maryland Court of Special Appeals (now the Maryland Appellate Court), case no. 2325 (November 19, 2014).
- Land Use Covenant enforcement considerations:
 - 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
- What should be BPRA's role in Land Use Covenant enforcement?
- How should the BPRA respond to individual requests for BPRA enforcement or for certification of compliance?
 - General rules
 - Complaints concerning discrimination by race, color, religion, sex, etc.
 - Accessory dwelling unit licenses
 - Duplexes and other multi-family construction

Based on the February 20 discussion, the Chair of the Committee is preparing a draft policy for the Committee's review at its March 19 meeting.

c. Enforcement of Tennis/Pickleball Court rules (no changes)

The BPRA's Tennis & Pickleball Courts Committee has asked the Governing Documents Committee to look at enforcement of the BPRA Recreational Facilities Policy as it applies to the tennis and pickleball courts.

The Recreational Facilities Policy sets out the rules for use of all of the recreational facilities that the BPRA owns on 13920 Bethpage Lane, including the pool, tennis & pickleball courts, the parking lot, and the pavilion. Sections 105, 106, and 109 deal with enforcement, but are

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very much oriented toward administration of the pool (and the pavilion), but do not currently provide much guidance for enforcement outside the pool fence or outside of the summer season. The Recreational Facilities Policy also do not currently provide any role for the Tennis & Pickleball Courts Committee (the BPRA Plan of Organization, § 210 provides that "The Tennis and Pickleball Courts Committee will advise the Board on the condition, maintenance, and use of the tennis and pickleball courts owned by the Association at 13920 Bethpage Lane.").

The Governing Documents Committee discussed this issue at its January 18 meeting. While no final recommendation was adopted, suggestions discussed included:

- Put up new signage at the courts emphasizing that dogs are not permitted on the courts.
- Since it has been many years since the locks on the courts have been changed, consider changing the locks, which would necessitate members who want to use the courts to get a new key from the BPRA's Tennis Courts Key Distributor (Jim Eaton). BPRA members requesting new keys would then sign a statement whereby they acknowledge the rules governing the courts. Jim is currently drafting the document and the Governing Documents Committee will review it before the document is put into use.
- Authorizing either the Chair of the Tennis & Pickleball Courts Committee or the members of that committee to officially notify members when they are in violation of the court rules. Members would have the right to appeal such a notice to the Board (the same way that violations of the pool rules can be appealed to the Board).

d. Banking and Investment Policies (no changes)

At its March 7, 2023, meeting, the Board adopted interim policies on banking and investments. The Board asked the Committee to review the adopted policies and, if appropriate, make recommendations for updates to the policies.

At the April 11, 2023, Board meeting the suggestion was made that there be an Investment Committee and that consideration be given to limiting who can serve on the committee. At its May 2, 2023, meeting, the Board voted to establish an interim investment committee comprising the four officers of the Board.

The Governing Documents Committee will consider these proposals as part of its review of the Investment Policy or as part of the next update of the Plan of Organization - whichever one comes first.

e. Plan of Organization updates (no changes)

Items to be considered in the next update of the BPRA Plan of Organization:

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- Update § 405 (and possibly § 406) to implement voting by mail for the annual election of Trustees. At the 2023 annual meeting, the General Membership amended the BPRA By-Laws to authorize the Board to adopt such rules.
- Make the New Neighbor Welcome Committee into a permanent committee.
- Provide for an Investment Committee as a permanent committee. Should there be restrictions on who can be a member?
- In 2023, the Montgomery County Council amended Chapter 10B of the Montgomery County Code (the Common Ownership Communities ordinance). These amendments may call for revisions to BPRA Plan of Organization
 - **§ 321(f)** (Additional Duties of the Treasurer),
 - **§ 330(d)-(e)** (Administrative Assistant),
 - **§ 401(h)** (Elections), and
 - **§ 405(h)** (COVID Era Elections)

in order for the Plan of Organization to remain consistent with the County Code. Regardless of whether the BPRA amends the Plan of Organization or not, the BPRA is still obligated to follow the County Code. The amendments to the County Code have an effective date of July 3, 2023.

- It has been suggested that the rules governing general membership meetings and committee meetings could be made more consistent.
 - Membership - currently:
 - BPRA members - every person (or legal entity) who is on the deed for a property within BPRA is a member of the BPRA. [BPRA Pool & Assessment Covenants of March 13, 1968, Article III, § 1]
 - Committees - for most of the committees, every person who both (1) is a BPRA member (or who lives in a property within BPRA) and (2) has notified the chair of the committee that they would like to be a member of the committee, is a member of that committee. [BPRA Plan of Organization § 110(c)]
 - Voting rights - currently:
 - General Membership - one vote per lot owned. [BPRA Pool & Assessment Covenants of March 13, 1968, Article III, § 2]
 - Committee - each committee member has one vote. [BPRA Plan of Organization § 110(c)(1)]
 - Notice requirements - currently:
 - General Membership meetings - 30 days written notice for the annual meeting; 15 days written notice for any special meetings. [BPRA By-Laws, Article VIII, § 3]
 - Committee meetings - 48 hours e-mail notice to all committee members (also must be posted 48 hours ahead on the StrathmoreBelPre.Org website). [BPRA Plan of Organization § 110(i)]
 - Quorum requirements - currently:
 - General Membership meetings - owners of 10% of the lots within BPRA (if there is no quorum, then (with proper notice) a meeting can

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be held 48 hours later with just the owners of 5% of the lots within BPRA). However, with notice published 15 days in advance in a newspaper published in Montgomery County, the quorum is all of the BPRA members who attend the meeting. [BPRA By-Laws, Article VIII, § 5; and Maryland Corporations and Associations Code, § 5-206]

- Committee meetings - All of the committee members present at a meeting where the notice requirements were met constitute a quorum. [BPRA Plan of Organization § 110(k)]
- Section 10B-18(b) of the Montgomery County Code requires that – unless the governing documents of a homeowners’ association provide otherwise – the Board may not amend the association’s budget without first giving each member of the association 30 days notice. The BPRA’s governing documents set out the procedure for adopting the annual budget, but do not currently address how the annual budget can be amended. Consider developing such rules.

f. Recreational Facilities Policy updates (no changes)

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

- On June 6, 2023, the Board approved extending **§ 207A** (Guest Fees - Scout Lifesaving Badge Tests) to cover some additional Scout activities at the pool during the 2023 season. Consider making this a permanent policy change.
- 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.
 - What should happen when a member of the community invites the general public as their guests (as more or less happened with the July 23, 2023, concert)?
 - Clarify whether **§ 208** (Guest Lists) should apply.
- 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”
- On June 6, 2023, the Board approved a request from the SPB Village Group to extend these privileges for their events for the summer of 2023:
 - waiver of pavilion deposit
 - waiver of guest fees for non-BPRA members
 - allow SBP Community Members and other Village affiliated participants that are not BPRA members to attend the event without being the guest of a specific BPRA member. Guest attendees would not have pool privileges.

Consider making these as permanent changes to the appropriate sections of

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the Recreational Facilities Policy.

g. 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.

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

- 2604 to 2709 Village Lane (11 homes)
- 14100 to 14128 Heritage Lane (13 homes)
- 14100 to 14217 Rippling Brook Drive (23 homes)
- 3100 to 3117 Verona Court (8 homes)

In July of 2023, we received a membership inquiry from the owner of 13329 Foxhall Drive, which is about 2 blocks south of Strathmore at Bel Pre Section 16.

i. Special Projects (updated)

- Identification of the section number for each street address within Strathmore Bel Pre for the following streets are the last ones needed to be completed:
 - Layhill Road
 - Lutes Drive (no homes in SBP, though part of the roadway is within SBP)
 - Rockview Court
 - St. Helen Circle
 - Trillium Terrace

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 BPRA 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

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- 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 BPRA minutes are missing attachments that are referenced in the main text of those minutes.

The Strathmore Bel Pre Civic Association has an almost complete set of *The Bugle* (the only major gap is July 1969 to April 1970). The Civic Association also has a reasonably complete set of SBPCA Board minutes from the late 1980s to the present.

The long-term plan is to post all of the BPRA and SBPCA minutes and all of the issues of *The Bugle* on the StathmoreBelPre.Org website. **Currently, there are reasonably complete sets on the website for:**

- **BPRA minutes going back to January of 2012**
- **SBPCA minutes going back to January of 2015**
- ***The Bugle* going back to early spring 2008**

6) Nominating Committee Report (Mark Foraker, Chair) (no change):

BPRA Board of Trustees Elections were held at the Annual Meeting on November 16, 2023. Three Trustees were elected. KP

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

The Draft 5 year plan was approved by the Board at the October 3, 2023 meeting.

8)

Grounds and Landscaping Report (Ted Bechtol, Chair):

I have received a proposal from Kollins Landscaping which can be reviewed at the Board Meeting.

In the process of looking at spring tree work with our contractors.

So far winter tree damage has been minimal. TRB

9) Tennis & Pickleball Courts Committee

The additional signage ("No Pets Allowed") approved by the Board last September has been acquired and posted on the gates to the courts' enclosure.

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:

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):

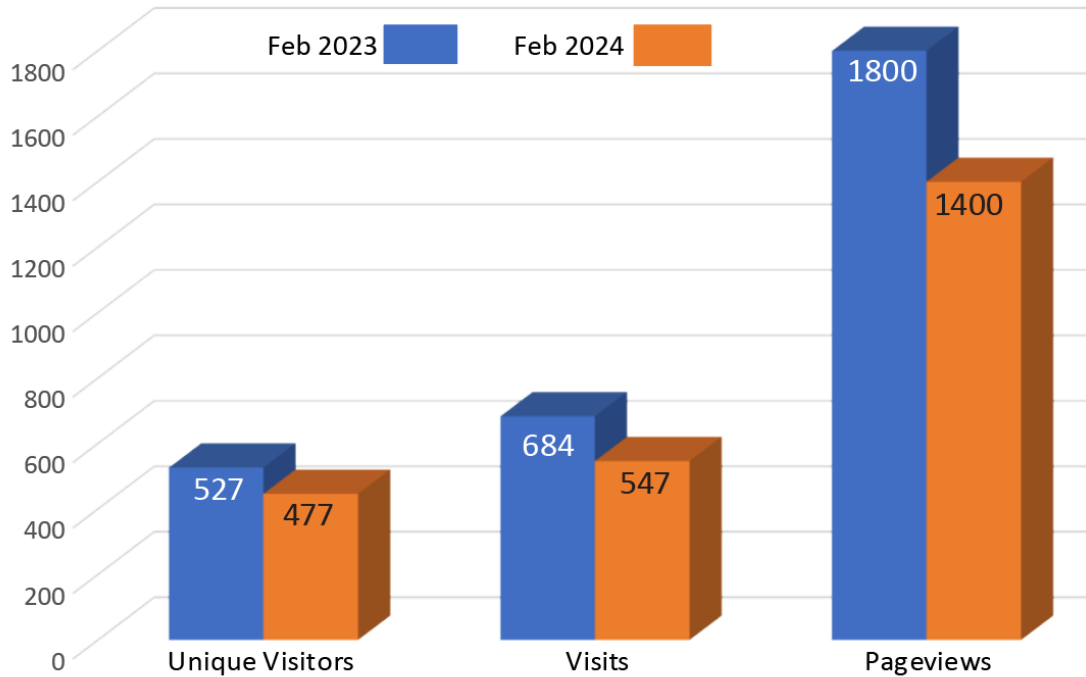
No change since January 2023.

13) New Member Recruitment Report (Dave Pullen)

At the November Board meeting, the Board briefly discussed whether a more aggressive, organized “membership drive” be undertaken to grow the number of BPRA member-properties, and with what limitations (if any). No action was taken.

14) Web Master Report (Billy Ruppert):

BPRA website usage



Visits by Device	Feb 2023	Feb 2024
Desktop	529	411
Mobile	146	128
Tablet	9	8