

Minutes of the Bel Pre Recreational Association
Board of Directors Meeting 26 October 2014

The meeting was convened at 7:30 pm in the meeting room of the Montgomery County Police Department Wheaton Substation, 2300 Randolph Road, Wheaton, Md. Present were President Elliot Chabot, Vice President Kim Watters, Treasurer Bob Bowser and members Kye Pak, Bill Ruppert and Paulette Ladas. Secretary Dan Keating arrived later. Members Greg Miller and Anthony Wormack were absent. Watters and Keating took the minutes. Former board member Gordon Klang, Administrative Assistant Brenda Henry, association member Linda Dunnigan and board candidates Kelcey Klass and Larry Vaught were also present.

In statements from community members, Henry opposed issuing a request for proposals for the bookkeeping job. She suggested that the current bookkeeping / administrative team remain and that the previous contract be updated regarding contract terms, dates, and duties. The new contract should include the use of online banking.

Klang asked if there were figures for how many people attended the summer events at the pool. Chabot said he would provide that information. Klang asked if the events were being planned for summer of 2015. He noted that we have two groups -- the Civic Association and the BPRA because the BPRA has specific rules it must follow about how it spends money.

In the Treasurer's Report, Bowser said that the board had been working on implementing the QuickBooks Online update to the bookkeeping for two years but that it was difficult to get full meetings of the Finance Committee. He said the plan is to pursue an RFP in a methodical way to do changes. Speaking as a member of the Finance Committee, Vaught distributed a draft of the RFP for the bookkeeping work. Watters and Chabot said that the existing vendor should be given the opportunity to do the job under the RFP. Henry, whose daughter Tamara Henry has the bookkeeping contract, said that the \$10,000 for bookkeeping does not only pay for bookkeeping, but also for the administrative work that Brenda Henry does. Brenda Henry said that the administrative work is the bulk of the job. Chabot urged Henry to submit her recommendations to the Finance Committee on what duties should be included in the RFP.

The board voted unanimously 7-0 that long-term continuation of the current bookkeeping contract is not in the best interests of the BPRA and a new contract should be written with specifications that include an online, open, transparent system with competition for the job. Voting in favor were Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert.

The board unanimously approved the minutes of the Meeting of Sept. 22, 2014 with the amendment under the Treasurer's Report to say "Brenda Henry questioned the authority of Larry Vaught to set up the QuickBooks Online account. She stated that the board had not approved online banking." Voting in favor of approval were Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert.

Henry reported that a delinquent 2014 annual assessment had been received and another may be paid as a foreclosed property is sold. She said that Clark Baugher of Georgetown Aquatics had billed for a private party but the bill was being sent to the people who held the party. She said Georgetown

Aquatics also billed \$40.50 for staffing after hours at the Bel Pre Dolphins swim team season-ending banquet. Keating said he thought the board had approved the full swim team schedule – all meets and events and meetings – as recreational activities for which BPRA would staff the pool. Henry said the BPRA does not pay for swim team use of the pool. The bill was sent to the swim team. Chabot said that, going forward, as each event is added to the calendar by the board, he would like the board to specifically indicate who is paying for pool staff. Henry said the bookkeeping extract was sent to the accountant, DeLeon and Stang.

The board reviewed amendments to the proposed RFP for management of the pool as the contract with Georgetown Aquatics is expiring. Keating said he would handle distribution of the RFP and receipt of proposals. The board voted unanimously 7-0 to accept the amended RFP document with Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert in favor.

The board voted unanimously to approve election policies drawn up by the Nomination Committee and presented by Chabot. The rules control distribution and collection of ballots. Voting in favor were Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert. The full text of the elections policy is attached to the minutes. The board's meeting on Dec. 3 will be a Town Hall-style meeting to allow community discussion as described in Chabot's October 11 e-mail to the board. The Town Hall starts at 8 p.m. at Strathmore Elementary School, the location of the Annual Meeting. The board will hold a meeting at 7:30 for election of officers before the Town Hall begins.

Ladas said that Kollins Landscaping could do leaf pickup at the end of the fall. She said a handyman could also remove leaves from the gutters of the pool house and pavilion. The board unanimously approved leaf pickup and gutter cleaning 7-0 with Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert voting in favor.

Watters discussed progress in getting repairs on the pump house wall. She said the cheapest option could be about \$10,000 to repair the wall and treat the interior to protect the reinforcing bar from chlorine. The other extreme would involve hiring a structural engineer to test the site and prepare permitting for a complex procedure. She said she has a list of three potential bidders but is seeking more. Watters said she would pursue a meeting with potential general contractors. Keating said he would contact Clark Baugher of Georgetown Aquatics and former board member Keith Yockelson.

Watters discussed getting the timers installed on the new parking lot lights. She said the vendor said it would cost approximately \$600. The board voted unanimously 7-0 to spend up to \$650 on light timer installation with Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert in favor.

Pak said there was graffiti on poles facing the tennis court. He said he would try to cover it with army green spray paint.

Ladas said that Potomac Fence had finished adding the extenders on the top of the fence on the Birchtree and Blazer sides of the pool property, but not all of Blazer Lane to Bethpage. She said it would cost \$1,860 to do the rest of the fence. The board voted unanimously 7-0 to approve the expenditure with Chabot, Watters, Bowser, Keating, Ladas, Pak and Ruppert in favor.

Chabot said that former board member John Adamo who had been tennis court liaison noted a problem in the court maintenance. He suggested withholding payment until the problem is fixed. Adamo also suggested Harvey Rattner may be able to take over as the tennis court liaison.

In the public update on pending litigation, Chabot said that the lawsuit involving Pierre and Tanie Guirance concerning the fence at 3200 Bustleton was scheduled for trial on Dec. 3. He said there had been no change in the case involving Richard and Brenda Henry over their neighbor's fence.

At 10:10 p.m., the board voted unanimously 7-0 to enter closed session for discussion of pending litigation.

At 10:56 p.m. the board ended the closed session and went back into open session. The meeting was declared adjourned.

Addition to BPRA Plan of Organization

§ 12. Elections.

- (a) Purpose.** The purpose of these rules is to encourage members to hear the candidates before voting and to provide for a consistent system of ballot distribution and voting.
- (b) Statements by candidates.** After the President calls the annual meeting to order, the next order of business will be statements by the candidates running for a seat on the Board of Trustees. The candidates will be given an opportunity to speak in alphabetical order and each candidate will be given five minutes.
- (c) Ballots.** Ballots will list the candidates in alphabetical order and will not indicate which candidates are incumbents or otherwise suggest a preference among candidates.
- (d) Membership list.**
- (i) The Association's By-Laws provide that the Secretary is "keep a record of all members" of the Association.¹ No later than ten days before the annual meeting, the Administrative Assistant will provide the Secretary with a list of the owner(s) of each property (i.e., "lot") within the Association. The list will be in alphabetical order by street (and within each street in numerical order by street address number). The list will also indicate if there is an unpaid assessment for the property.
 - (ii) If the ownership of a property after the Administrative Assistant provides the list to the Secretary, then the Administrative Assistant will promptly notify the Secretary.
- (e) Check-in table.**
- (i) Each member of the Association must come to the check-in table to receive their ballot. The check-in table will be operated by the three check-in judges appointed by the Nominating Committee. No one is to sit at the check-in table except the three check-in judges and the member of the Association checking in. Each candidate may designate one person to watch the operation of the check-in table, but these watchers may not interfere with the operation of the table.
 - (ii) Copies of the results of the Association's candidate questionnaire from the current issue of *the Bugle* will be available at the check-in table.
 - (iii) Each member of the Association who comes to the check-in table to receive a ballot, must provide the check-in judges with their address, name, and any other information requested by the check-in judges.
 - (iv) If the member of the Association seeking a ballot is on the membership list as having no unpaid assessments and is the owner of a property for which a ballot has not yet been issued, then the check-in judges will each initial the

¹ By-Laws Article XIV, § 7.

back of a blank ballot and present it to the Association member. One of the check-in judges will recommend that the member not cast their vote until after all of the candidates have spoken.

- (v) Check-in and ballot distribution will start 45 minutes before the start of the meeting.
- (vi) Questions about the check-in rules will be resolved by a majority of the check-in judges. If a majority of the check-in judges cannot come to an agreement, the President will resolve the question.

(f) Ballot box table.

- (i) Each member of the Association must bring their ballot to the check-in table to cast their vote. The check-in table will be operated by the three ballot box judges appointed by the Nominating Committee. No one is to sit at the ballot box table except the three ballot box judges and the member of the Association casting their ballot. Each candidate may designate one person to watch the operation of the ballot box table, but these watchers may not interfere with the operation of the table.
- (ii) Before the first ballot is put in the ballot box, the three ballot box judges will inspect the ballot box to ensure that it is empty and shall show the empty ballot box to any watcher designated by a candidate according to subsection (f)(i), above.
- (iii) Before a ballot is placed in the ballot box, the ballot box judges will inspect the back of the ballot to verify that it has been initialed by the three check-in judges.
- (iv) To encourage Association members to wait to cast their ballot until after each of the candidates have spoken, the check-in table and the ballot box table will be in different parts of the room, to the extent practical.
- (v) Beginning with 2015, no ballots will be accepted until the start of the meeting.
- (vi) Questions about balloting or counting ballots will be resolved by a majority of the ballot box judges. If a majority of the ballot box judges cannot come to an agreement, the President will resolve the question.

(g) Deadline for voting. Once the last candidate has made their statement, the President will announce that balloting will close in ten minutes. Anyone with a ballot who was on line at the ballot box table at the end of the ten minute period may still vote.

(h) Counting of the ballots.

- (i) Once balloting has closed, the ballot box judges will count the ballots. The watchers designated by the candidates in subsection (f)(i), above, may observe the counting, but may not interfere in the process. The watchers may not touch any ballot, the ballot box, or the ballot box table. Once the counting has been completed, the ballot box judges will notify the President of the result. The President will announce the results to the membership present at the annual meeting.
- (ii) As provided in the Association's governing documents:

- (A) only one ballot may be cast for each property,²
 - (B) each ballot can cast as many votes as there are seats to be filled,³
 - (C) cumulative voting is not permitted (i.e., casting more than one vote for the same person),⁴ and
 - (D) proxy voting is not permitted.⁵
- (iii) The Association's By-Laws⁶ provide that "In the event of a tie vote, the tie shall be broken by lottery, as provided for by rules and regulations to be promulgated by the Board." In the event of a tie, the winner will be chosen by coin toss.

(i)Quorum. If the annual meeting fails to have a quorum, balloting will begin again at the reconvened meeting⁷ and ballots cast at the original annual meeting will not be counted.

2 Covenant of March 13, 1968, Article III, § 2.

3 By-Laws Article X, § 2.

4 By-Laws Article X, § 2.

5 By-Laws Article VIII, § 6.

6 By-Laws Article X, § 2.

7 By-Laws Article VIII, § 5.