

BPRA Conflict of Interest Policy

§ 1. “Family” Defined

For purposes of this Policy, the “family” of a BPRA member means that member’s grandparents, parents, spouse, in-laws, siblings, children, grandchildren, tenants, and any person living in the same household as the member.

§ 2. Proposals that would personally benefit a member or their family

- (a) A member of the Board must abstain from voting on (or advocating for) any proposal that would personally benefit the Board member or any member of the Board member’s family. Likewise, a member of a committee must abstain from voting on (or advocating for) any proposal that would personally benefit the committee member or any member of the committee member’s family.
- (b) If a Board (or committee) member (or a member of their family) is compensated (other than reimbursement of out-of-pocket expenses) by an organization that has business before the Board, that Board member is to abstain from voting on items relating to that organization.

§ 3. Expenditures that would personally benefit a member or their family

When anyone has been authorized by the Board to spend BPRA funds (or to authorize the expenditure of BPRA funds), that person may not – without specific authorization from the Board – personally benefit from the expenditure (nor may members of their family).

§ 4. Disclosure of proposed personal benefit

- (a) Immediately after the agenda is approved at a meeting of the Board (or of any committee), the presiding officer shall pose the following query:

Based on the agenda just approved, or on any “new business” which a Trustee or a member intends to raise at this meeting, does any member perceive the need or intend, to declare a conflict of interest, as that term is defined in the BPRA Conflict of Interest Policy, with any item proposed for discussion or decision at this meeting?
- (b) A Board member (or a committee member) who would benefit personally (or where a member of the person’s family would benefit personally) from a proposal before the Board (or before any committee that the person is a member of) must disclose that to the Board (or committee) before action is taken by the Board (or committee) on the proposal. The disclosure should be included in the minutes of the meeting.

§ 5. Exceptions

- (a) A proposal that would benefit the entire community, but only incidentally benefits members of the Board or a committee (e.g., setting the date for the pool to open to the

entire membership) is not a personal benefit to the Board or committee member (or their family).

- (b) An appointment to a position that does not receive compensation is not a personal benefit to the person being appointed.
- (c) Where the BPRA has a history of purchasing a service from a person who is not a Board member, the Association may purchase that service from a Board member (or a Board member's family), if the amount charged the BPRA is significantly less than the amount the Association was previously paying. In that situation, the Board member must abstain from voting on the proposal, should not make the motion to accept the proposal, and should not participate in the Board's discussion except to answer questions from other Board members.
- (d) It has been a long-standing tradition for BPRA Board members to simultaneously serve as non-compensated officers, directors, or leaders of other neighborhood non-profits that deal with the BPRA (e.g., local PTAs, the Strathmore Bel Pre Civic Association, the Strathmore Bel Pre Dolphins Swim Team, Scout Troop/Pack 763, etc.). Such affiliations, in and of themselves, do not constitute a violation of this Policy -- as long as the disclosures and recusals required by this Policy are met.

§ 6. Legal actions against the BPRA

- (a) If a Board member (or committee member) is an opposing party in a legal action against the BPRA, then that member may not attend closed meetings of the Board (or committee) where the legal action is being discussed, but they may attend open meetings. Meetings of the Board or of committees may only be closed in compliance with Maryland Homeowners Association Act § 11B-111.
- (b) Legal actions include filings in courts and complaints before administrative agencies (e.g., the Montgomery County Commission on Common Ownership Communities).

§ 7. Annual acknowledgement of the rules

No later than the January meeting of the Board, each member of the Board shall annually sign a statement that they have read and understand this Policy. Each Board member shall also disclose any position that they hold with any organization listed in § 5(d) of this Policy (whether compensated or not compensated) and any position that the Board member holds with any company (or entity) that currently does business with the BPRA.

The Secretary will see to it that there is published on the community's website a list showing the name of each Trustee and each committee member, indicating who has (or has not) signed the current Annual BPRA Conflict of Interest Disclosure Statement, and which organizations, companies, and entities are listed on that person's Statement.

Annual BPRA Conflict of Interest Disclosure Statement

I, _____,

a member of the Board of Trustees (or a member of a committee) of the Bel Pre Recreational Association, hereby certifies that I have read and understand the BPRA's Conflict of Interest Policy.

I also certify that I hold the following positions in the following organizations and have indicated whether that position is compensated or not compensated¹:

- Parents-Teachers Association of _____ School: _____

- Strathmore Bel Pre Civic Association: _____

- Strathmore Bel Pre Dolphins Swim Team: _____

- BSA Scout Troop/Pack 763: _____

- other companies (or entities) that do business with the BPRA: _____

_____ (signature)

_____ (date)

¹ For purposes of this disclosure statement, reimbursement of out-of-pocket expenses does not constitute compensation.