

October 2017

# MVF Executive Vice President's Report

## 1. General

- A. Recreation and Parks Strategic Plan** – New director Duncan Mullis has initiated a strategic planning process with the goal of establishing a clear, simple statement of actionable strategic priorities for the department over the next 5 years (2018-2023). The process will include a data and research-based assessment of our current positioning; identification of 3-5 broad strategic priorities of the departments/divisions and associated action plans for implementation; involvement of key stakeholder groups and individuals in the development and review of strategic priorities. The MVF board and recreation department will be invited to participate as the work is ongoing.
- B. Resolution on Transportation Solutions for Northwest Montgomery County (M-83)** – Pete Young testified on October 17 before the County Council in support of a Resolution that identifies transportation improvements in the upcounty, which does not include the build-out of the northern extension of M-83. In addition, the Resolution directs the Planning Board not to assume additional road capacity from M-83 when calculating transportation capacity for development in the upcounty. The council is expected to vote on this matter by year end.
- C. Small Cell Tower ZTA - Small Cell Towers** - The county continues to try to address how siting of small cell towers in county rights of ways will be addressed in the zoning ordinance in its latest draft of ZTA 17-XXX. The text is available at this link: [http://www.montgomerycountymd.gov/cable/Resources/Files/Towers/documents/ZTA-Telecommunications-tower\\_7-27-17.pdf](http://www.montgomerycountymd.gov/cable/Resources/Files/Towers/documents/ZTA-Telecommunications-tower_7-27-17.pdf)

In October 2016, at a spirited meeting at Ridgeview Middle School, residents raised many issues to County Council members and staff regarding a council proposal to revise the process for approving cell phone towers, especially with regard to siting new shorter towers in residential areas. Applications for these small cell towers have alarmed residents who are concerned about the aesthetic and health impacts of these additional towers in their neighborhoods. These issues continued to be raised at public meetings held in July, September and October this year.

Federal Communications Commission (FCC) statutes and regulations prohibit the county from enacting laws that have the effect of prohibiting wireless service, and require the county to act on applications much more quickly than the current process takes. The focus of the ZTA is on siting the new towers on existing county rights of way.

Telecommunications providers who want to use the private street rights of way in Montgomery Village communities would have to first get the approval from the community association that owns the right of way. To put an antenna on an existing pole, such as a street light, the owner of the pole would also have to consent. The standard for the pole would be the Limited Use standard from the zoning code. To put a new pole in, the telecommunications provider would have to get the permission of the association owning the right of way, and then apply for a conditional use approval per the zoning ordinance.

An additional hurdle for telecommunications providers to overcome in Montgomery Village communities is that the communities have Public Utility Easements (PUE) covering use of the right of way. The significant features of a PUE provide that: each time a PUE is established, it is not granted to “utilities” generally, but to specific named utilities. If a company wishing to put up a cell tower is not a named utility in the grant of a PUE, they have no rights under the PUE.

Perhaps more importantly, the PUE has a clear and concise list of the improvements that may be constructed under the PUE. They include: (A) underground power transmission lines and aboveground transmission, switching, fusing, and junction equipment; (B) underground communication lines and associated aboveground junction pedestals and terminals; and (C) gas transmission and distribution facilities. In other words, the PUE does not encompass cell towers.

Finally, the PUE grants the named utilities the perpetual right to keep the property clear of buildings and structures. Staff will continue to monitor the proposed ZTA.

- D. **Short Term Rental (Airbnb) Legislation Adopted** - After more than a year and a half of review and revision, on October 10, 2017 the County Council enacted ZTA 17-03 and Bill 2-16 to regulate short-term (less than 30 days) rentals in the county. The laws are in response to emerging patterns of rentals made possible by internet services such as Airbnb.

From the time the bills were introduced, MVF and many other community associations made the council aware of the potential harms to quality of life in neighborhoods from short-term rentals, including security, noise, and increased competition for parking.

The bills as passed include many provisions that will hopefully mitigate impacts on community associations.

These include a requirement to provide a contact person if the owner is not present during the rental, a requirement to be in compliance with community association documents regarding rentals, requirement to notify neighbors that the property will be used for short-term rentals, a requirement to provide one off street parking space for each rental contract, and a limit of six adults as overnight guests per property.

To ensure that properties are not exclusively as short-term rentals, owners must certify that the property is their primary residence in order to obtain a license for short-term rentals. An applicant for a license must also certify that he has provided notification of the application to the community association where the property is located. Property owners are encouraged to be present at the property when it is being used for short-term rentals, by a provision in the new law that restricts short-term rental use to no more than 120 days a year the owner is not present.

The new laws take effect in July 2018. The county's Department of Health and Human Services will have the responsibility for enforcement.

## 2. Architectural Standards

### A. Architectural Application Review (September 1 - September 30, 2017)

Submitted architectural modifications reviewed In-House with Design Consultant: **163**

Architectural violations reviewed In-House with Design Consultant: **85**

Submitted architectural modifications reviewed by ARB: **2**

Architectural violations reviewed by ARB: **0**

Appeals considered by ARB: **0**

Application Completion Inspections **19**

**TOTAL: 269**

### B. Architectural Compliance:

#### 1. Statistics:

The following statistics reflect the results of various *follow-up inspections and drive-through inspections* in Montgomery Village's residential communities by the Architectural Standards Compliance team as of **September 30, 2017**. *These statistics reflect **the number of properties** inspected by the AS Compliance Specialists. **The average number of violations noted and pursued on each property inspected is three or more.***

Jenark Enforcement		2017		2016	
		YTD	MTD	YTD	MTD
a)	New violations	477	22	1071	111
b)	Cases closed in 2017	236	15	787	93
c)	Running violations(correct by resale)	8	0	32	2
d)	Executive Committee appeals	0	0	0	0
e)	Suspended membership privileges	15	0	0	0
f)	Lawsuits filed	14	0	6	0
g)	Complaint filed at CCOC	0	0	0	0
h)	Resale Certificates	332	31	375	30

SmartWebs Enforcement		2017		2016	
		YTD	MTD	YTD	MTD
a)	Total Scheduled Inspections (SmartWebs)	1025	205	-	-
b)	New Smartwebs Violations	827	174	-	-
c)	Cases Closed (Smartwebs Inspections)	282	49	-	-

2. **2017 Scheduled Community Inspections:**

**South Village Homes Corporation – 7 subdivisions (1,010 properties)**

**Stedwick Homes Corporation – 8 subdivisions (1,260 properties)**

**[Total properties to be inspected = 2,270]**

3. **Inspections and Violations Processed as of September 30, 2017:**

**Stedwick (Darla Hyman and Christine Sharp)**

- **Frenchton Place (155 Townhomes)** - 155 properties have been inspected and processed in SmartWebs
- **The Ridges (69 Single Family Homes)** – 69 properties have been inspected and processed in SmartWebs
- **Club Hill (141 Townhomes)** – 93 properties have been inspected and processed in SmartWebs. 48 properties remain to be inspected.

**South Village (Martha Cruz and Dee Wirth)**

- **Grover's Forge (180 Townhomes)** - 180 properties have been inspected and processed in Smartwebs.
- **Dockside (160 Atrium Back-to-Back Townhomes)** – 160 properties have been inspected and processed in Smartwebs.
- **Millrace (168 Atrium Back-to-Back Townhomes)** – 168 properties have been inspected and processed in Smartwebs.
- **Nathan's Hill (200 Back-to-Back Townhomes)** - 200 properties have been inspected in SmartWebs. 51 properties remain to be processed.
- **Centerstage (63 Townhomes)** – Inspections will begin in October.

**Note: the above property inspections do not reflect the property inspections for follow-up of cited violations, complaints verified and resale disclosure inspections.**

**Architectural Standards Fees (MVF Revenue) through September 30, 2017:**

	2017		2016	
	YTD	MTD	YTD	MTD
Violation Review fees	\$3,625	\$775	\$2,875	\$625
Resale Disclosure Packet Fees	\$63,354	\$9,026	\$99,096	\$11,725

**C. Commercial/Non-Residential Architectural Standards (CARC):**

The CARC did not meet in September or October.

The next scheduled meeting of CARC is December 1.

**D. Other Matters:**

Yolawnda McKinney has resigned from the ARB. She has accepted a new job position beginning in November, and between now and then, she has been deployed to Houston to assist with flood victims.

**3. Communications**

**A. Events and Sponsorship**

**Great Pumpkin Race** – the event was held on October 14 with approximately 1,000 residents attending. 19 vendors were secured with Holy Cross Germantown Hospital as the corporate sponsor again this year. Additionally, the Frederick Keys mascot, Keyote, was secured for photos and the celebrity race.

Welcome Reception – the 2017 New Resident Welcome Reception has been scheduled for Thursday, Nov. 16 from 7 to 8:30 p.m. in the North Creek Community Center. Invitations to residents have been sent and it is being advertised in the *Village News* and online.

**B. Village News**

Issues were delivered on October 6 and October 20, including the Fall Festival Program insert. Staff continues to perform random spot checks of delivery routes to insure that deliveries are being made according to carrier guidelines, including delivery to the doorstep of most homes (not driveway delivery). All previously open routes have been filled with reliable permanent carriers from the substitute list.

Staff attempted to schedule a *Village News* Carrier Training event to refresh rules and delivery procedures with carriers and their parents/guardians, however, too many scheduling conflicts for the carriers forced cancellation at this time. A future date will be considered to hold this event.

**C. Marketing**

**New Branding Campaign** – the first resident video footage has been shot and editing is in progress. Staff is working to find the best and most efficient way to produce these videos to have several stored up for deployment. The first video will be released this month, along with corresponding website updates to alert the public to the campaign.

**Annual Calendar** – staff has chosen photos from submitted resident selections. Almost 70 photos were received this year. Advertising was secured for at least 6 months of the publication, continuing the downward trend in advertising revenue. The publication was sent to the printer mid-October and is expected to deliver to village residents in December.

**Recreation Programming** – Recreation and communications staff continue to collaborate on ways to improve marketing of programs, classes, camps, etc., using more efficient and electronic avenues. Both staffs were surveyed regarding current methods and asked for new methods they would like to see deployed. More discussion and an action plan will be developed over the coming months to hopefully yield higher registrations. Additional methods being explored include text messages, targeted electronic newsletters/email blasts and other marketing systems available through the Active registration platform. “Categories” of programs offered are also being streamlined and replicated as consistent across platforms for a better user experience.

D. **Online**

**montgomeryvillage.com:**

**September**

monthly hits: **20,480**

mobile sessions: **2,778**

most visited pages: pools & swimming; classes & programs; village communities; dashboard; assessment fees; pumpkin race/fall fest; job opportunities; contact us

**Twitter** – 476 followers (up from 473 in September)

**Facebook** – 1,235 followers (up from 1,230 in September)

E. **Technology**

A new network switch was purchased to replace an older component with a broken fan that was out of warranty; this item was scheduled to be replaced in 2018. Monthly meetings continue with the IT vendor to talk about new implementations, current projects and review MVF's IT health.

Staff is currently working to put together an RFP for the replacement of the resident database system, Jenark. This process was attempted several years ago, but at the time, an upgrade to Jenark was the preferred method. Presently, MVF's other technology partners have changed or expanded and Jenark does not support easy integration with many of them.

F. **Advertising Revenue (through September 2017)**

September 2017 Billed:	\$ 5,824
September 2017 Budget:	\$ 12,520
September Collected:	\$ 9,027
September difference compared to budget:	\$ (6,696)
Year to Date Billed (2017):	\$ 83,237
Year to Date Budget (2017):	\$ 110,052
Year to Date Compared to Budget (2017):	\$ (26,815)
Year to Date Collected (2017):	\$ 104,355
2017 Billed vs 2016:	\$ (18,457)
2017 Collected vs. 2016:	\$ (4,168)

**4. Community Management**

A. **Homes Corporation and Condominium Updates:**

Covenant Compliance follow-up inspections were completed in October with an average correction of 59.5% across the board. It is anticipated this number will be higher based on the second notification of violations but in most cases a third inspection is not performed at the request and policy of specific boards. Once reports are provided to the various associations, management will begin to send hearing notices, according to each established policy, and notify Montgomery County of those that are most egregious.

The budget process is currently underway for all those communities that have a fiscal year end of December 31. All HOA draft figures were published in the Village News on September 22<sup>nd</sup> and October 6<sup>th</sup>.

The leaf clearing schedule for most managed communities was published in the Village News and on the web site on October 20<sup>th</sup> and will continue to be published until all leaf clearing is complete. Residents have been urged to follow updates in both the Village News and on the web site for weather related changes to the schedule.

<b>Christopher Court Land Association</b>	There was a slight delay in installation of the street lights which has worked to the benefit of the association. Management was able to identify a rebate, working with the vendor, the association will save over \$6,000.00 overall. New rails across 18310 have been ordered and are being scheduled for installation.
<b>Center Court Condominium</b>	The 2018 draft budget was prepared and mailed to the membership for consideration. It will be discussed at the October 24 <sup>th</sup> meeting. The association has implemented a pilot maintenance program and all materials related to it are being delivered to each unit.
<b>Eastgate</b>	The crown clearing of street trees was completed in Kings Point and Charlesgate. Management will begin to review projects for 2018.
<b>East Village</b>	A tree removal plan for various areas throughout the community is underway. The committee is planning improvements to The Reach tot lot. The board will be finalizing their 2018 budget at their November meeting.
<b>Horizon Run</b>	A new bulletin board and kiosk were installed. The 2018 draft budget and annual meeting notice was sent to the membership. The annual meeting is scheduled for October 23 <sup>rd</sup> . Fall flowers were planted.
<b>Maryland Place</b>	Tree pruning over parking areas, sidewalks and homes was completed. The 2018 budget will be approved at their November meeting.
<b>North Village</b>	The asphalt patchwork was completed in October, 2017. Parking lot restriping was done during the summer. Various areas of concrete patchwork will be completed in October.
<b>Park Place I</b>	The lighting replacement project was completed in all the buildings. Management was able to identify a rebate and the association saved 80% on the total project as a result. The board approved replacement of several chipped and broken steps throughout the community has been delayed because the approved contractor did not adhere to the agreement and therefore terminated. A new contract has been engaged and installation is planned for the end of October.
<b>Park Place II</b>	The board approved to replace the gutters and which will include gutter guards on 9701 and 9710. The 2018 draft budget was mailed to the membership for comment.
<b>Patton Ridge</b>	Management met with VIKA to review the draft report and get a better understanding of their findings. There were a couple of communities that were missed and will be added to the report. The board will be obtaining a new reserve study in 2018. The board is considering options to the services provided by the current security company.
<b>South Village</b>	The board is working with the county to possibly partner on various capital improvement items. The board is considering options to the services provided by the current security company.
<b>Stedwick</b>	The tree removal project for 2017 was completed. The board approved to have ADA ramps around the Mercado Way path which includes repairs to trip hazards. The 2018 budget was approved as published. Management is obtaining proposals on various tree removals in the community.

<b>Thomas Choice Condominium</b>	The board has agreed to formalize the assigned and visitor parking requirements and passed the revised tow policy in accordance with Maryland Condominium Act. Tags have been ordered and residents will be sent notification of the process to obtain their hang tags along with the implementation plan. The plan is to distribute passes November and December and have the new policy in effect for January 2, 2018. The board approved project to replace various driveways along with other damaged curb and gutter is scheduled to begin on November 6 <sup>th</sup> . Notification will be mailed to each owner where the driveway is being replaced.
<b>Whetstone</b>	An asphalt and concrete project was approved and is going to be scheduled for first thing spring 2018. The RFP was provided to various vendors to obtain process and pricing for the replacement of the dock. Two of the vendors requested an extension on deadline for submission. One vendor declined to bid. Management is obtaining proposals for alternate auditors. The 2018 budget was approved as published.

#### 4. Finance and Administration

##### A. Delinquent Units and Court Cases

<b>Delinquent Units</b>	<b>2017</b>	<b>2016</b>	<b>Court Cases</b>	<b>2017</b>	<b>2016</b>
January	1,706	1,962	January	81	370
February	1,052	1,117	February	90	24
March	674	747	March	146	26
April	1,643	1,711	April	23	03
May	890	953	May	16	00
June	597	643	June	14	12
July	1,560	1,679	July	14	12
August	909	786	August	03	04
September	566	581	September	00	03

- B. **Interest** in the amount of **\$2,785.95** was billed to overdue accounts in the month of September 2017, in accordance with the Collection Policy.
- C. **Settlements: 46** new homeowners were processed between September 1, 2017 and September 30, 2017. Of those, **45** were homes corporations and **1** was a condo.
- D. **Transfer Fees: \$3,450.00** was collected from September 1, 2017 and September 30, 2017
- E. **Lawsuit Judgments Paid & Satisfied:** January 2017 through September 2017- 126 judgments

#### 5. Recreation, Parks and Culture

##### Projects:

- A. The **McKendree Playground project** was completed on September 29.
- B. Playground Specialists Inc. was awarded the contract to replace **Whetstone Community Center Playground** and the current estimated completion timeframe is mid-January.
- C. At the Recreation Committee meeting on October 2, the committee listened to presentations from 3 selected contractors regarding their designs for an **inclusive playground adjacent to the Apple Ridge Recreation Area**. The committee made a recommendation for a preferred contractor and design, which will be reviewed by the MVF board at the October meeting.

- D. **Winterization of several facilities** is underway, pools, lawn theater and SV Park bathrooms are all currently being worked on. These items are 75% complete. Staff will complete the winterization process by the end of October.
- E. Staff is currently reviewing proposals from various painting contractors for ongoing **painting projects for MVF facilities**.
- F. There are various **asphalt path patching projects** occurring during October. The path areas to be patched include Lake Marion, Lake Whetstone, North Creek Community Center, and North Creek Lake Park.
- G. **Stedwick Energy upgrades** will be completed by the end of the month. This project includes changing light fixtures and adding LEDs in the pool deck area, parking lot, bathhouse, and social hall area.
- H. The Recreation and Parks department has finalized its strategic plan outline and will have a **department kickoff meeting** on Wednesday, November 16<sup>th</sup> 2017.

### Programs:

- A. Program staff will attend a Round Table Meeting to meet with area recreation departments to discuss **Summer Camp programs** on October 24.
- B. Petra will attend the **World Water Park Conference** the week of October 16.
- C. The **8<sup>th</sup> Annual Great Pumpkin Race** drew 109 registered racers, up from 106 in 2016. Ticket sales brought in \$58 less than last year. There were 6 participants in the baked goods contest this year.
- D. September 2017 to October 14, 2017 we had 3,526 people attend the **Farmers' Market** compared to 3,454 during the same time frame in 2016.
- E. Currently we are averaging 10 players for **Adult Drop-In Basketball**. This is the same average as 2016.
- F. We currently have 89 members registered for **Seniors-in-Action** (Same as 2016).
- G. The **Whetstone Afterschool Club** is full. (46 registered and 5 on the waitlist.)
- H. We currently have 30 tables registered for the **Holiday Craft Bazaar**.

### Personnel:

- A. **Two Park and Facility Assistants** started on October 18.