

November 4, 2020

To Whom it may concern:

Thank you for the opportunity to testify on Executive Order 122-20 on behalf of both the Lake Hallowell Homeowner's Association and the Greater Olney Civic Association.

First, I want to thank all members of the Montgomery County Council, Executive's office, and key county personnel doing their best to ensure the safety of its citizens such as County Executive Marc Elrich, Dr. Travis Gayles, & Dr. Earl Stoddard.

This on-going pandemic has been both physical and mental impactful on county residents. We all strive and yearn to return to a level of normalcy, and endeavor to find balance between safety and practicality. Mental health is just as important as physical health.

As a civic "volunteer" serving as both association delegate and HOA board member I have been struggling with this balance. On one hand HOA & CA volunteers need to fully represent all their constituents and in doing so ensure they are not putting their association members at physical or Fiscal/Legal Risk. On the other hand, we volunteers want our residents to be mentally fulfilled and have full use of our community facilities which require both capital and maintenance expenditures.

Unfortunately, due to the language drafted in previous versions of the Executive Order we have had to make very tough decisions to accurately represent the Fiscal & Legal risk of the association. As one example, this has meant closing our community playgrounds as cleaning playgrounds, as currently required in section 3A. It is fiscally un-realistic and, in many cases operationally impossible to ensure.

However, this most recent version of the Executive Order (122-20) has updated language that excludes this fiscally and operationally impossible task of cleaning community playgrounds. This new language will allow associations to open up playground facilities again without the very real legal risk of negligence by not being able to comply with the said executive order. At the same time it will allow families with children whom wish to utilize these facilities to do so while fully knowing the risks of COVID-19 and having notice that these playgrounds are not being cleaned per CDC guidelines.

We support the updated language regarding playgrounds and believe this updated language will greatly benefit the mental health of the children of this county as it will allow associations to open back up to those that wish to utilize such resources and in doing so hopefully follow all county recommendations for safety best practices. Our only recommendation at this time is to consider amending the language as such so as to be a little more transparent to the section of 3a.v. by changing "indicating that the site is not cleaned on an hourly basis." to "indicating that the site is not being cleaned".

Lastly, this is a brave new world we are currently living in and we are all learning to balance safety vs risk. No two people seem to think a-like in regards to this delicate balancing act, and associations need the flexibility to be able to represent all of their constituents. While there is no way to guarantee safety, associations needs to be allowed to operate without fear of violation of negligence and at the same time allow residents who wish to abide by county and state best practices the ability to do just that and

utilize facilities if they chose to and at the same time represent the homeowners who are not willing to take such risk by ensuring that legal action cannot be taken against their association of which they are members of.

Sincerely,

Howard Greif

President Lake Hallowell Home Owners Association
Delegate – Greater Olney Civic Association.