



**Board Meeting Minutes
December 16, 2023
Via Zoom**

President Dave Wiecking called the meeting to order at 9:31 a.m.

Board Members in Attendance: Dave Wiecking, Margie Cyr, Bob Wood, Kate Mounteer, Paul Bradley, Don Deraska, Holly Fluty Dempsey, Kerry Hall, George Rayburn

Community Members: Richard Certo, Nancy Glasgow, Peggy Taylor, Andrita Andreas, Terry Errett

Other: Cathy McCallister, Solutions Property Management (SPM)

Motion re: Recording Meeting Bob Wood moved, Margie Cyr seconded that recording of any type of the meeting except for the Zoom recording initiated by the Board or its property manager is not allowed. All were in favor.

Meeting Minutes: Don Deraska moved, George Rayburn seconded approval of the November 18 2023 Board Meeting minutes. All were in favor.

Property Manager's Report: Cathy McCallister (Solutions Property Management) reported.

- Snow plow contract is still being negotiated.
- Working on landscaping contract with Holly Fluty Dempsey
- Republic Services (trash removal) contract for 2024 has been signed.
- MillerDodson, the firm we have contracted with to prepare a financial reserve study, will make a site visit on January 9.
- Work is moving forward to prepare the request for proposals to replace some fencing in the community.

President's Report:

- Covenants' Amendment re: no marijuana-related businesses. We believe we are four votes over what is needed to approve this covenant change, and the ballots have been forwarded to our attorney, Mary Schrider-Fox, for verification and next steps.
- E-mail List: Current law allows us, in many cases, to notify community members electronically in place of paper mailings. We wanted to verify that we have an email address for each property, and the simplest way to do this was to assign one "primary address" for each property. Most communications will continue to go to all email addresses we have on file, but certain mailings, for example, surveys, may go only to a primary contact for a property. It is the primary contact's responsibility to share this information with the other owners, and this

will be noted in any email that goes out to a “primary contact” list. It was also noted that beach passes (QR codes) need one primary contact per property.

- Website conversion: Dave Wiecking is pulling together all the old minutes for transfer so that our records are complete. A few are missing and he has reached out to former Presidents for copies.
- South Bethany Resiliency Committee: Dave Wiecking and Margie Cyr will attend the next meeting of this committee which is addressing climate change / rising water concerns.
- Directory Photo Contest: We have 25 entries. The deadline for submission is January 2. The Board will select the first cut, and then ask the community to select the finalist.
- Thank you to Cheryl DeBois for some holiday decorating.

Treasurer’s Report: Bob Wood referred us to his written report that is posted on the website for the period ended November 30.

Committee Reports:

Budget/Finance/Audit Committee: Committee chairs have been asked to submit their ideas and proposals. The first budget draft will be prepared and presented at the January Board meeting. After any adjustments, the draft will be posted on the website and community input will be sought at the February meeting. The new reserve policy will help clarify how we are spending our funds. We may want more rigor in how expenses are recorded into categories.

Community Facilities: Don Deraska referred us to his written report and added the following;

- Don has made efforts to communicate with adjacent communities to address common interests, without a whole lot of interest shown to date.
- There was a discussion about using discarded Christmas trees to build our dunes. More research will be done. There are pros and cons.
- Dune Grass plantings: We have received two proposals. We are talking about planting dune grass in bare spots on the dunes. There was a discussion about fertilizing dune grass, but beach consultant Mike Jandzen did a test in other communities and found the fertilizer made no appreciable difference.
- Dave Wiecking asked to meet with Don to review which roads are due for fog sealing.

Commercial – George Rayburn had nothing to report.

Building: Margie Cyr reported that there are many big projects in progress, including several that are holdovers from last year. See written report. We are expecting applications for two large new projects soon.

Margie Cyr reported that construction at 19 Bayberry has been completed and inspections done, with no violations having been noted during the project. Margie Cyr moved, Don Deraska seconded that we return the entire construction deposit in the amount of \$17,210 to the owners of 19 Bayberry. All in favor.

Community Patrol (CP) / Security: See Kerry Hall's written report. He is moving forward with budgeting, staffing and fine-tuning community patrol procedures. We are moving forward with security cameras to be placed at the guard shack, and are planning to install them by March 31. We are reviewing a draft policy about monitoring security cameras. We will not have any remote monitoring; any review of the recordings will be done in the guard shack.

Landscaping: Holly Fluty Dempsey requested that she be included in any discussion of planting dune grass, because there may need to be treatments to remove invasive grasses (Japanese Sedge) on the dunes which could affect new plantings. We may need more new native grasses (Cape American) to replace the invasives. At this time, new grass is to be planted in February; invasives killed in July.

Community member AJ Andreas asked where to get the best information about maintaining the dune by her house. Margie Cyr will send her links. DNREC will make site visits if desired.

Different approach to landscaping contract. Our existing contract with Ruppert has an automatic renewal clause. We have told them we will not be automatically renewing that contract. We will seek bids for two contracts: The first will include routine maintenance such as grass cutting, trimming, etc., and perhaps swale cleaning. A second contract will cover "greenscaping" of common areas. Community input will be sought about "greenscaping" priorities.

Fifty-three properties on the Pine Side have climbing vines on trees that are visible from the road. will offer to cut vines at the base of people's trees as a volunteer project.

Beach Patrol: No report

Sand: A committee will meet to discuss what we know and how to move forward about any potential beach replenishment. This will include Paul Bradley, Margie Cyr, Dave Wiecking and Steve Larsen.

OLD BUSINESS

Jetting Culverts: Cathy McAllister will follow-up with Henry Caswell, Inc about the timing for jetting the culverts.

New Rule for Canopies for Special Events: The community has been informed about today's opportunity to comment on this proposed rule. Community Member Nancy Glasgow commented that she is totally opposed to canopies on the beach, that we don't want to become a wedding venue, and thinks we are opening the door to many future problems. AJ Andreas asked whether we have considered including size limits in the rule; we responded that this will be at the discretion of the Board as it receives submitted Special Events Request forms. Dave Wiecking reminded us that we need to be clear that this option is open only to property owners. Board members expressed various views.

Dave Wiecking suggested we remove from the rule any mention of canopies on private lots, because this violates the covenants. Dave Wiecking moved, Margie Cyr seconded that we remove the clause “whether the special event is held on MBA property or an individual owner’s lot” from items 2, 5 and 6 of the proposed rule. Wiecking, Hall, Wood, Cyr, Dempsey, and Bradley voted in favor of this change. Deraska, Rayburn and Munteer were opposed. The motion passed 6 in favor, 3 opposed.

Vote on approval of rule after removing the above clause from items 2, 5 and 6: Wiecking, Munteer, Rayburn, Wood, Deraska, Hall and Bradley were in favor. Dempsey and Cyr were opposed. The rule passed with 7 in favor and 2 opposed.

NEW BUSINESS

COMMUNITY COMMENTS Community member Rich Certo asked for clarification about something he saw about the solution to Kent Ave drainage applying only to part of the community, not the entire community. Margie Cyr clarified that DNREC was concerned that the solution proposed by the Sussex Conservation District would help drainage from Errett, Bridge, Addy and Evergreen more than it would help drainage from Bayberry and Short. DNREC will take another look at that. They are looking for a better outflow of water into the Assawoman canal. Anything done will allow water to drain quicker from Kent Ave ditches and thus benefit the entire community to some extent.

The Board adjourned to Executive Session at 10:44 a.m.

Board Reconvened at 11:12 a.m.

A brief discussion about General Ledger codes, and who assigns codes to expenses ensued. It was suggested we eliminate some unused codes.

Margie Cyr moved, Bob Wood seconded that we adjourn the meeting. All in favor. 11:15 a.m.

Respectfully submitted,
Kate Munteer, Board Secretary

Executive Session topics discussed:

- Personnel Matter
- Watering community plantings – paid staff versus volunteers
- Possible Violation

2023-12-16 Committee Reports

Community Facilities Committee Don Deraska

Things are slower & I am in FL, so this will be a briefer report from me!

I've tried reaching out to both Sea Colony (Rick Parrett & Doug Bowden) & South Bethany (Jon Stiffler) Public Works/Community Facilities contacts to introduce myself & see if we can coordinate our efforts in issues we face in common. Doug has been swamped trying to get stuff done before his knee surgery this week, but will reach out to me next week if possible. I have not heard anything back from Jon Stiffler.

Roads/General:

Nothing new to report on the sinkhole @ 32 E. Addy Rd other than the sewer company reporting everything is fine with the sewer lines & it's up to us to address this issue.

We are still planning on restriping the parking spaces on East Errett Road this Spring. Joedy Smith is working on measuring and planning the new striping. Matt's Paving has reportedly advised that it may be better to sealcoat the entire street again rather than black out the existing stripes before repainting them...we'll plan to get quotes for pricing of both options, and what other sealcoating would be on the schedule for next spring before we decide about this.

Thanks to all the volunteers who harvested pine straw from our swales & distributed it along Beach Plum Rd. I think this is something we can plan to post on the volunteer page of our website as an ongoing task that can be done throughout the year (though clearly more so in the Fall).

Signage:

Kudos to George Rayburn for his diligent work with DelDot and Ad-Art on the installation of Middlesex Beach signs in the median of Route 1. They are up & look great (Dave Wiecking posted pictures of them on the Middlesex Beach Neighbors Facebook page).

Drainage:

We are waiting to hear from Harry Caswell about a date for jetting out the pipes on the west end of all pine side roads & all culverts under the driveways of Evergreen & Addy Rd followed by the culverts under driveways of ALL OTHER STREETS until finished or \$10,000 budget cap is reached (the rate is \$275/hr). Depending on the status of having cleanout of the pine side swales in next year's landscaping contract, we'll decide on any additional maintenance we should do on these using our volunteer work force.

Bill Graves has agreed to help us monitor the effectiveness of the drainage work we've done so far. His sister scouted out the roads after a heavy rain we had around Thanksgiving & took pictures. He believes a combination of visual/photographic evidence and water level measurements (using positometers which we have NOT yet installed) is the best way to judge the efficacy of our drainage system.

We've OK'd the replacement of the easternmost (concrete) culvert with a 12" x 20' poly pipe @ 20 Errett Rd. by Lyndon Hitchens (at a cost of \$1535.00 - perhaps a bit less if we supply the pipe from our inventory). He'll do this in the spring when he installs the second culvert & modifies the swale there (at the owner's expense)

Guard Shack area:

Thanks to Cheryl Debois for decorating the Guard Shack...it's beginning to look a lot like Christmas!!!!

Beach Walkways/Dunes:

Mike Jandzen (from Aquatic-Marine, LLC) has quoted us \$6700 to plant American Dune Grass on our dunes (spot planting in areas that are bare with a total of 14,695 sf). Some research I've done shows Cape American dune grass is available from Coastal Transplants, LLC (an on-line company that provides services along the East Coast from FL to ME) @ \$200/bundle [each bundle has 1000 plants which covers approximately 750 sf.] So for 14,695 sf we'd need 200 bundles or \$4,000. They offer installation as well (I've requested a quote but I'm betting it'll be at least several thousand dollars).

Pat McGeehan, President of Sandpiper Village HOA, reached out to Dave Wiecking asking for the removal of our perpendicular dune fencing that was put up this summer (I suspect to make our Patrol's job a little easier at demarcating our beach). It has resulted in the start of another perpendicular dune & they are concerned that it will obstruct their view again as the prior perpendicular dune did. Dave & George Rayburn removed the fencing (leaving the posts remaining) last week...we'll decide about putting it back up (or stringing rope between the posts as suggested by Pat) in the spring.

Fencing:

We're working on getting bids to replace the shadowbox fencing along Rt 1 (475' "top priority" and 300' "medium priority") & the west end of Bridge Rd (just under 100'). Dave gave the basic information to SPM earlier this week with hopes of meeting with contractors in early January. I'll be meeting with someone subcontracted by Home Depot on 1/2/24 to show them what needs to be removed/replaced and get a quote. Dave Wiecking noted that we spent \$43/ft for this type of work back in 2016, so if we estimate it may be more like \$75/ft now, we'd be looking at \$65,625 to do everything.

Happy Holidays to all!!!!

Building Committee Report
Margie Cyr

The Building Committee is reviewing a large renovation project on Dune Rd; and we are anticipating two other large renovation projects permit applications to be submitted soon on the Pine Side. Small projects continue. We have closed out one of the large construction projects which was held over from the last year. Several are still being worked on and we have not been able to close them out yet.

Drainage Report
Margie Cyr

Paul and Margie have received an update on the drainage project on Kent Ave. Our DNREC partner reports that the project is still in full swing. DNREC has received comments from DeIDOT. DeIDOT has asked DNREC to find a better approach for the water outlet to the Assawoman Bay. DNREC will be surveying some additional areas down by the Assawoman Canal to see if this outlet can be improved to satisfy DeIDOT and to move more water. This approach will likely require extensive environmental permitting. The bad news is the process will be slowed down because of the required permitting; but the potential good news is that the outlet could be improved to get water moving better during storm events. Once the additional surveying is completed, there will be a redesign and reevaluation of it.

Community Patrol
Kerry Hall

All is quiet, no calls to CP Cell, currently working on budgeting, staffing, and further refinement of SOP's and performance evaluation processes for 2024.

Security Camera:

Have evaluated 2 proposals received for installation of security cameras at the Guard Shack:

Coastal Technology Group (CTG)	\$2,905
Home Theater Solutions (HTS)	\$2,390

HTS is the vendor I used for my personal residence (Full Disclosure). Based on review of the proposed equipment, the informational meetings Dave and I had with the vendors, and follow up interactions I am recommending we move forward with CTG. This expenditure is part of the 2023 budget and we anticipate it being fully installed by March 31, 2024. Dave has tailored a generic related policy and procedure document that is currently in draft state.

Landscaping Committee
Holly Fluty Dempsey

Continued appreciation for all the pine needles! Thank you everyone!

Blake Moore, from the University of Delaware Cooperative Extension Horticulture and Natural Resources Department, conducted a site visit to Middlesex in late November. He met with several Board members and is preparing a report that will address invasive species management in our swales and in the dune grass.

Ruppert Landscape was notified Middlesex does not intend to automatically renew the contract with them that ends 31 December 2023. They are welcome to submit a bid when the Request for Proposals is issued this winter.

Work commenced with Solutions on development of a grass cutting and mowing scope of work. The community-wide questionnaire for a separate greenscaping contract remains a work in progress.

Contacted DELMARVA Power on maintenance of their property with follow up expected in January.