



**Board Meeting Minutes and Committee Reports**  
**February 17, 2024**  
**Bethany West Meeting Room and Via Zoom**

President Dave Wiecking called the meeting to order at 9:32 a.m.

**Present:** Dave Wiecking, Margie Cyr, Bob Wood, Kate Munteer, Paul Bradley, Kerry Hall, George Rayburn, and Cathy McCallister, Solutions Property Management (SPM). Don Deraska, Holly Fluty Dempsey present by Zoom.

**Motion re: Recording Meeting:** Rayburn moved, Wood 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.

**Minutes:** Rayburn moved, Hall seconded approval of the January 20, 2024 Board Meeting minutes. All were in favor.

**PROPERTY MANAGER'S REPORT:** Cathy McCallister (Solutions Property Management) reported.

- RFP for mowing and maintenance portion of landscaping contract has gone out to 5 companies. Site visits will start this week.
- Our annual contribution of \$15,000 has been sent to the Bethany Beach Volunteer Fire Company (BBVFC), and they have been sent a list of property owners.
- Background checks have been completed for new Community Patrol hires.
- Work with the Building Committee continues.
- Will look for location for May 4 Community Meeting.

**PRESIDENT'S REPORT:** Dave Wiecking

- Work continues to identify property owners legally eligible to vote on Association matters. This has become an issue because many properties are held by other than single owners: 110 have multiple owners, 65 held in Trust, 31 by LLCs or Partnerships, 30 by individual owners, 9 by Corporations. We need to have proof of ownership for the recent Covenants vote, and possibly the new BBVFC ambulance policy, which limits service to property owners and family members.
- Steve Larsen is the winner of the directory cover photo contest, and has signed the release form.
- The Special Events request form has been updated.

- Work continues on a community survey, which includes the landscaping survey.

It was suggested that we send the landscaping survey now, and the other questions could be sent later. A discussion ensued about reserve funds, and how they will be replenished. A question was raised about whether the Designated Voter Form should be discussed by the Board. Paul Bradley recommends that the form go to all new owners, as well as the 43 properties in question as a result of the Covenants vote on marijuana-related businesses.

**TREASURER'S REPORT:** Bob Wood referred us to his written report that is posted on the website for the period ended December 31, 2023. He also reported that the invoice for \$6,400 for dune grass planting has been paid to Aquatic-Marine, LLC. **Motion:** Wood moved, Rayburn seconded that that \$6,400 be transferred from the capital reserve account to our operating account to cover dune grass planting cost. All were in favor.

Cathy McCallister mentioned that some communities wait until after the end-of-year accounting to reimburse operating funds from capital reserves.

#### **COMMITTEE REPORTS:**

**Community Facilities:** Don Deraska referred us to his written report that is posted online. He also noted:

- Harry Caswell, Inc. is still planning to start culvert cleaning in March; the dates are not yet set.
- A Sea Colony staff member said they would share files about drainage plans, so that we might collaborate. These have not been received.
- In the past, Sea Colony had asked to use Middlesex drainage system/pipe to help move some water out of Sea Colony. Status is still uncertain.
- New fencing is two-thirds completed. It has become apparent that some of the 2009 sections we chose not to replace look bad compared to the new sections.  
**Motion:** Rayburn moved, Bradley seconded we expend up to \$5,000 additional to fill in the areas adjacent to gates so that the fence is uniform in appearance. All were in favor.

**Landscaping:** Holly Fluty Dempsey's written report is attached. Additionally:

- Heard from Blake Moore, Delaware extension service about invasive treatments
- Trying to get word back from Delmarva Power about plantings adjacent to power substation
- A question was raised about how to make the pollinator garden area along Beach Plum Road more attractive. Dempsey responded that there were plans to paint the border timbers a uniform color when warmer. Wiecking asked Dempsey to provide a writeup about the garden area that can be posted to the website so community members understand what is going on.

**Building:** In addition to her monthly written report, Margie Cyr presented revisions proposed by the Building Committee for the building rules. Proposed revisions include:

- Removing “maintenance” from work requiring a permit
- Removing “interior repairs” from work requiring a permit
- Clarifying that exterior repairs, including painting by contractors, require a permit
- Adding language about the site plan requirement (not a new requirement) • Adding clarifying statements about “Kitchens,” and “Enclosures and screening.”
- Adding a statement about “drainage” and fill dirt.
- Adding a statement about owner’s responsibility vis-à-vis inspections

A question was raised about the number of holidays that contractor work is not allowed. Margie Cyr shared that our list of holidays is identical to those in Bethany and South Bethany. The Building Committee recommends that MBA remain consistent with our neighboring communities. ▪ Paul Bradley raised a concern about the use of the term ‘common law rule’ in a new addition regarding drainage. Cyr shared that this addition was taken directly from Bethany Beach’s code for construction. Paul will research this and get back to Margie before the March meeting. ▪ Discussion ensued about the advisability of requiring the screening of propane tanks, HVAC units and generators for newly constructed houses. ▪ A concern was raised about how the removal of trees affects water levels of the entire community. Can the community be informed about this? ▪ We will add a line item to our budget for permit fees.

**Return of Construction Deposits:** Margie Cyr reported that construction at 11 Errett Rd and 4 Bridge Road has been completed and inspections passed, and requested support to return deposits.

**Motions:** Wood moved, Rayburn seconded return of the entire deposit of \$9,000 for 11 Errett Rd. All approved Rayburn moved, Wood seconded return of the entire deposit of \$12,100 for 4 Bridge Rd. All approved.

**Community Patrol (CP) / Security:** Kerry Hall referred to his written report. The supervisor for the Community Patrol has suggested purchasing an AED unit (automated external defibrillator) to be stored in the Guard Shack. (There is a portable AED kept at the Main Beach Patol stand on the beach.) The cost would be about \$1500. Hall will verify who is currently maintaining the AED. These devices require regular battery checks, with a log kept. Staff will be trained in proper use.

**MOTION:** Rayburn moved, Wood seconded approval of up to \$2,000 to purchase a new AED. All voted in favor.

**Sand:** Dave Wiecking reported that a teleconference is planned for February 20 with Gahagan & Bryant Associates, Inc. about permits and other preparatory work related to purchasing sand.

**Social:** Kate Munteer referred to her written report (calendar of events) and gave a brief overview. She would like to get Board feedback about 65<sup>th</sup> anniversary activities at our March meeting.

**Budget/Finance/Audit Committee:** Bob Wood presented the proposed 2024/25 budget for the second time, and welcomed questions and comments from the community. The proposed assessment is \$3200, a 4% increase from the current year. (\$2520 to operations, \$550 to capital reserves, and \$400 to beach reserves.) There were no community comments, but Board members' questions were addressed.

#### **UNFINISHED BUSINESS:**

**Security Camera Principles, Policy and Procedures:** Dave Wiecking presented a policy statement for the security camera being installed at the Guard Shack. Discussion ensued and a couple of changes were agreed upon. **Motion:** Rayburn moved, Hall seconded approval of the Video Security Policy and Procedures as amended. All were in favor.

A suggestion was made that we investigate getting internet access for the Guard Shack.

#### **NEW BUSINESS**

**Beach Pass Checking / Website** – In order to keep our ability to scan beach passes using QR codes with the existing system, we will keep our existing website. (The scanning system shares the website user list.) Val Peizer will be able to help.

**Golf Cart and Low Speed Vehicle Rules** – A draft policy was presented for comment at the March meeting.

**Towing Policy** – This policy has been in place since 2018, but hasn't been put through the rule approval process. Comments will be welcome at the March meeting.

**COMMUNITY COMMENTS** It was suggested that this portion be moved to the first part of the meeting in the future.

**MOVE TO EXECUTIVE SESSION:** Rayburn moved, Wood seconded to adjourn to Executive Session. All approved. 12:30 p.m.

Board Reconvened at 12:37 p.m.

**MOTION TO ADJOURN** Cyr moved, Deraska seconded, that the meeting be adjourned. All approved. Meeting adjourned at 12:38 p.m.

Kate Munteer, Board Secretary

**Executive Session topics** discussed: Reconciliation of expenses and final payment to Champs Construction Contractors, LLC, for building the Guard Shack.

**Upcoming Meetings:** March 16, April 20, May 4 – Community Spring Meeting, May 18, June 15, July 20, August 17, August 31 – Community Fall Meeting

## **Committee Reports - February 2024**

### **Building Committee Report – Margie Cyr**

The north end of Dune Road continues to be very congested and difficult for access, egress, and parking. Currently there are large projects in progress at these locations:

- 38 Dune: large project renovations
- 45 Dune: large project renovations
- 46 Dune: large project renovations
- 52 Dune: large project renovations
- 56 Dune: new house build
- 34 Bayberry: large project renovations

Contractors generally have been respectful and responsive.

Work on large projects continues and a large project house addition has just been approved on the Pine Side.

One of last year's large project house addition has just been completed.

### **Drainage:**

DNREC has completed the second survey of the ditching and drainage areas along Kent Ave. They are awaiting the data from that survey to determine the best way to drain the most water out into the Assawoman Bay.

Paul and Margie joined a round-table group of representatives from South Bethany, Bayside Tennis Club, Sea Colony, and MBA for an informal conversation about drainage, water, and how our communities are impacted.

South Bethany is working on plans to mitigate the flooding that occurs in Cat Hill. This water is supposed to drain into the Assawoman through the marsh which is owned by Sea Colony. Sea Colony says there was a ditch that provided this drainage and remnants of it can still be seen, but over the years this ditch has filled in with debris and no longer works the way it is supposed to. Sea Colony has tried several times to get permits to clear it out without success.

Bayside Tennis is very aware there is no outlet for their ditch water and the ditch is filled with debris. Years ago, they used prisoners to clear it out, but don't think they'll get support for doing that now. They can see where the outlet is supposed to be, but it isn't there.

Paul and Margie told them about the work MBA has been doing with Tyler at DNREC the past three or four years; and about the ditch project in MBA begun two years ago which continues this year with cleaning the ditches and clearing culverts of debris.

Currently there is a dredging project actively cleaning the Assawoman Canal between Bahamas Beach Cottages and Sea Colony. There is a new kayak launching park being planned by the State Parks in the same area across from Sea Colony's kayak launching area. Everyone at the table was hopeful that this project would speed along the work to fix the drainage from Kent Ave.

Everyone also agreed that we should continue to meet and share information. There was discussion of including the Bahamas Beach Cottages neighborhood but agreed that their needs are a little different and it is premature to bring them in now.

## **Community Patrol – Kerry Hall**

One call received on CP phone, non-resident inquiring whether keys were found on our beach.

Currently working on budgeting, staffing, and further refinement of SOP's and performance evaluation processes for 2024. Master Schedule and revised SOP's and performance evaluations should be completed by March meeting.

Supervisor has suggested that we consider purchasing a portable AED unit to maintain in the guard shack. This would be in addition to one currently maintained by Beach Patrol and typically on the Polaris they use. Still gathering facts on cost and other considerations before recommending any further action.

**Security Camera:** Installation scheduled for Wednesday 2/21

**Golf Cart:** Battery charger has been repaired (under warranty) and the cart is in winter storage at Indian River Golf Carts in Millsboro. Will be delivered back any time after April 1 with 5 days notice. We are planning to have it returned by May 1 and Facilities (George) will inspect and establish a maintenance program/log.

**2024 Staffing:** 2 supervisors, 6 staff returning. Ad ran in Coastal Point 1/19 and 1/26 attracted several candidates that were interviewed. As of today, we have 5 new hires (subject to completion of background checks), 4 from the ad and one a referral from a current staff. We have all day shifts fully staffed (including swing shifts) and 6 of 7 night shifts covered at current but that is always subject to change. The 10% night differential was well received by returning and new staff.

## **Community Facilities - Don Deraska**

No news on collaborating with Sea Colony or South Bethany vis-a-vis drainage or any other common issues other than Margie Cyr attending the South Bethany Resiliency Committee meeting on 1/26/24 & she and Paul Bradley meeting with representatives from South Bethany, Bayside Tennis Club & Sea Colony on 1/30/24 (see below). The Sand Committee has the impression that we'll get more information from GBA (the engineering firm in charge of beach replenishment) than from the Sea Colony Recreation Association's general manager.

**Roads/General:** We've filled the sinkhole @ 32 E. Addy Rd with rocks and gravel - this seems to have stabilized. Homeowners will take care of final surface restoration.

The plan for restriping the parking spaces on East Errett Road this Spring supplied by Joedy Smith needs to be reviewed and possibly modified (the 45-degree angle may be too acute but the basic idea of making the spaces more uniform with parallel lines seems fine).

**Drainage:** We're waiting to hear from Harry Caswell about when he'll be jetting out the pipes & culverts (and cleaning some of the swales), but he promises to be done by the end of March.

Bill Graves is in the process of retiring so hasn't been able to devote any time to assessing the swales.

Margie Cyr & Paul Bradley pulled together a group of representatives from South Bethany, Bayside Tennis Club & Sea Colony on 1/30/24 for an informal conference on drainage & water. Sea Colony owns the marsh that drainage from Middlesex, South Bethany & Bayside swales drain into on the way to Assawoman Canal. There WAS a swale through this that has filled in with debris & is no longer functioning properly but Sea Colony was unable to get the permitting required to work on this. Bayside is aware that their swale has no outlet & is also filled with debris. There is a plan by the state to install a kayak launching site across from Sea Colony's kayak launching site on the canal. It is hoped that this and the completion of the second Kent Avenue survey will accelerate the completion of work on Kent Avenue drainage. The group plans to continue to meet & share information to the benefit of all. Margie attended SB's Coastal Resiliency Committee on 1/26/24.

**Guard Shack area:** Installation of the security camera system at the Guard Shack is scheduled for 2/21. We'll need to replace the part of the drywall ceiling that was removed for this, and will install a permanent hatch for attic access. We'll also be building shelving for the air conditioner & recording equipment for the video system.

**Beach Walkways/Dunes:** Mike Jandzen of Aquatic-Marine, LLC completed planting dune grass in the selected bare areas of our dunes on 2/9/24, and invoiced us \$300 less than bid.

**Fencing:** Eastern Shore Porch & Patio and Fence is planning to start the fence work along route 1 on 2/13/24. The homes affected by this have been emailed to alert them to this and warn them that there will be a time between the removal of the old fencing and installation of the new fencing during which their side yards will be exposed. Dave Wiecking and George Rayburn will be handling removal of some vegetation that is immediately on or IN the fencing.

Thanks to Chuck Taylor for repairing the stop sign at Beach Plum and Errett that was broken by a school bus earlier this week.

Happy Lunar New Year to all!!!

**Landscaping Committee – Holly Fluty Dempsey**

- Turf maintenance RFP is out for bids by Solutions.
- Landscaping portion of community-wide questionnaire finished on January 30; awaiting remainder of questionnaire for issuance.
- Handouts selected for the Spring Packet.

**Social Committee – Kate Munteer**

The committee has put together a preliminary calendar. Input and ideas are welcome!

Activity	Suggested Date	Description
BBQ / Lifeguard Meet and Greet	Memorial Day Weekend Saturday, May 25 (Rain date: May 26)	Welcome to the new season on the beach!
Family Block Party	4 <sup>th</sup> of July Week Monday, July 1. (rain date: July 2)	Planned for MXB families with children to gather and get to know one another.
Celebrating 65 Summers!	Labor Day Weekend	<i>TBD . . . Please share ideas!</i>
Happy Hours	May 4 – Glasgow (Spring Meeting) June 15 - Thiede July Aug 16 – Rivest Sept Oct 5 – Sheffey	Hosts are still needed for July and Sept. Contact Kate Munteer
New Member Welcome	ongoing	Members welcome new owners to this special community with individual calls and visits.

**Committee Volunteers:** Kate Munteer (chair), Ilene Cohen, Nancy Glasgow, Mary Beth Hendrick, Kathy Lyons, Val Peizer, Terri Reilly, Linda Uhas, Toni Wood