



## BOARD MEETING MINUTES

March 16, 2024

Bethany West Meeting Room  
and Via Zoom

President Dave Wiecking called the meeting to order at 9:30 a.m.

**Present:** Dave Wiecking, Margie Cyr, Bob Wood (through 10:30 am), Kate Munteer, Holly Fluty Dempsey, Kerry Hall, George Rayburn; Paul Bradley and Don Deraska present via Zoom. Cathy McCallister and Donna Hugues, Solutions Property Management (SPM).

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

**TREASURER'S REPORT:** Bob Wood noted that the financial summary through February has been provided, with nothing major to report. He has added a new "Summary of Reserve Activity" to keep the community informed. We have about \$150,000 in the operating accounts to hold us until assessments come in.

- **Budget:** The 2024-25 budget has been presented twice, and community input welcomed. Bob has added a line for "Building Permit Fees" and another for "General Interest Income" because he has changed our operating checking account, which had a fee of about \$35/month, to an interest-bearing account. The proposed budget requires a \$3200 assessment, which includes \$550 for the capital reserve account, and \$400 for the beach reserve account. (\$142,000 total for capital; \$103,000 for beach.) **MOTION:** Bob Wood moved that we approve the recommended assessment as presented, George Rayburn seconded. The motion passed unanimously.
- **Reserve Replacement Study:** We will get back to MillerDodson Associates with our feedback. A discussion took place about how much of swale and culvert maintenance might be included in a Reserve Replacement Study.
- **Beach Patrol:** We need to be aware that staffing will become increasingly competitive, and compensation costs will increase in the coming years.
- **Fiscal Year:** Ends in two weeks; let Bob and/or Cathy McCallister know about any outstanding invoices.

**Approval of Minutes:** Kate Munteer moved, George Rayburn seconded approval of the February 17, 2024 Board Meeting minutes as presented. All were in favor.

**GENERAL COMMUNITY COMMENTS:** Marty Schecter asked about retained earnings. It was explained that there are only two options for unexpended funds at the end of the fiscal year. They may be returned to the community, or they may be put into reserves. In the past, the Board might have chosen to spend this money on a project, but that is not what will happen going forward. Any capital expenditures will come from the Capital Reserve Account, not from unexpended operating funds. When those reserves are spent, we will need to plan to replenish them.

**PROPERTY MANAGER'S REPORT:** Donna Hugues and Cathy McCallister (Solutions Property Management)

- **May 4 Community Meeting** – the only suitable location that is available is the Ocean View Church of Christ at 55 West Avenue. This will be reserved, and should be reserved for the fall meeting as well.
- **Insurance Policy** – renewal is due April 1. Discussion ensued that we don't have a good understanding of the coverage amounts included in the policy, nor where they originated. Also, the agent, Matt Boole, Pratt Insurance, is still looking for excess umbrella coverage. Since we need to maintain coverage, it was proposed that we accept the policy, study it further, and we can cancel it if need be. **MOTION:** Margie Cyr moved, Bob Wood seconded that we approve the amount of \$14,626 to renew the policy presented by our agent, subject to him continuing to search for an umbrella policy to increase coverage from \$5 million to \$8 million. We will also examine this policy further so we can make a more informed decision. The motion passed unanimously.
- **Towing Policy** – Recommend M.A.G. towing in Frankford as our towing company. This information will be kept in the Guard Shack.
- **Spring Mailing** – Needs to go out by April 20. This could cost \$8 - \$12 per household based on whether anything needs to be printed in color and the number of pages. Cathy McCallister recommends saving money by mailing only the essentials, and directing members to links on the website for the remainder.
- **Designated Voter** – Forms have gone out to 40 members; 18 have been returned. This is necessary to confirm the vote on the Covenants amendment on no marijuana-related business.

**PRESIDENT'S REPORT:** Dave Wiecking

- **Signs** will be posted about presence of video cameras at the Guard Shack.
- **Employee Offer Letters** – an offer letter should go to each employee (Beach and Community Patrols), including hourly rate and term of service. SPM will manage.
- **Document Storage** – there will be a meeting to discuss storage of our electronic files.
- **Kent Ave. and Muddy Neck Roads** are being paved, and some sidewalks installed-at least within Bethany town limits. Contractors indicated DelDOT was working on sidewalk plans for more of the road, but said nothing about any drainage work being included in these projects.
- S. Bethany has patched parts of **Evergreen Rd.**
- **Survey** - will finalize four or five questions so the landscaping portion can be sent out.

**COMMITTEE REPORTS:**

**Community Facilities:** Don Deraska See written report.

- **Culvert Jetting** Caswell has started jetting. Two components are necessary for improved drainage: jetting debris from culverts, and cleaning accumulated debris in swales. The standing water is interfering with work, and some stretches, including longer pipes at

the west end of Middlesex, may not be done until fall. It's costing about \$4000 per road to jet the culverts.

- **Fencing** is complete, and contractor is providing boards to reface the gates. MBA needs to get new metal frames made. In future years when other west end fencing is replaced, we plan to switch to keypad locks as are present elsewhere in the community.
- Newly planted **dune grass** looks good.
- Dave Wiecking will meet with environmental consultant and Middlesex member, Bill Graves, to talk about **assessing water levels** and flow.
- Clark Tree will be removing **six dead trees** on Addy Rd.

**Landscaping:** Holly Fluty Dempsey See written report.

- Blake Moore of Delaware Extension has provided information re: removing **invasives** in swales. This will be part of the greenscaping contract.
- Regrettably, **Delmarva Power** will not plant shrubs by the substation – they will remove dead plants and plant grass on Bridge Rd.
- **Pollinator Garden** – signs are coming. A brief explanation about the pollinator gardens on Beach Plum will be added to the website and in an email blast.
- **Vine Removal** – An email to offer help to cut vines on private properties will go to 53 pineside homeowners. George Rayburn expressed concern about using volunteers to do work on private property due to liability.

**Building:** Margie Cyr - See written report.

Updates have been made to the Building Rules as presented and discussed at the February meeting. (These get updated annually and take effect following Labor Day.) The section about drainage has been rewritten. The section about screening HVAC units and propane tanks has been revised to include “. . . if visible from the front property line of the affected property.”

**MOTION:** Margie Cyr moved to approve the MBA Rules & Regulations for Construction, Repairs, Tree Work, Demolition, Driveways and Parking Lots as revised and presented by the Building Committee. Kerry Hall seconded.

**Discussion:** Dave Wiecking asked for community comments. Hearing none, Kate Mounter asked that we revisit the number of holiday weekends that construction is not allowed, and proposes that we survey the community about this. George Rayburn and Kerry Hall asked that we explain the final inspection process better, and possibly include a checklist. A discussion ensued about the need for interior inspections. Kate Mounter moved, George Rayburn seconded that we amend the presented rules to eliminate the interior inspection of new construction. Rayburn and Mounter voted in favor; Hall, Cyr, Wiecking, Deraska, Bradley and Dempsey opposed. The amendment failed.

Language will be added to the rules explaining the inspections more fully, including the need to verify project completion and a single kitchen (so that deposits may be returned.) **VOTE ON THE MAIN MOTION:** Approval of the building rules and regulations as revised: Bradley, Cyr, Dempsey, Deraska, Hall, Munteer, Wiecking in favor; Rayburn opposed. The motion passed.

**Social:** Kate Munteer See written report with event schedule.

Discussed “65 Summers of Middlesex” celebrations; Social Committee recommended that Labor Day picnic be held on a beachside street. Board consensus was that party should be on the beach.

**Community Patrol (CP) / Security:** Kerry Hall See written report.

Kerry asked where the AED situation stands (purchase was approved at the February meeting, but liability concerns were subsequently raised). Wiecking indicated that he had not reviewed the email from our attorney on this topic. The security camera has been tested and works well. Video review procedures will be rolled into Community Patrol procedures.

**Sand:** Steve Larsen, Chair

Dave Wiecking reported on a proposal from Gahagan & Bryant Associates, Inc. to provide consulting services to secure the USACE and DNREC permits necessary to participate in sand dredging projects; DNREC indicated they were close to establishing a formula to charge private communities to use dredged state owned sand (which would be a cost in addition to paying a dredging company to transport and place the sand). No decisions have been made.

## **UNFINISHED BUSINESS**

**Towing Policy: MOTION:** Kate Munteer moved, Margie Cyr seconded approval of the Towing Policy as presented, updated to include M.A.G. Towing in Frankford as the company used. All present voted in favor.

**Golf Cart & Low Speed Vehicle Rules:** Margie Cyr moved, Kate Munteer seconded that the policy as presented be approved, with the addition of including “an MBA valid” parking pass. All present voted in favor.

**MOTION TO MOVE TO EXECUTIVE SESSION:** Holly Fluty Dempsey moved, Margie Cyr seconded that we adjourn to Executive Session. All present voted in favor. 12:09 p.m.

Board Reconvened in open session at 1:12 p.m.

**MOTION TO ADJOURN:** Rayburn moved, Hall seconded, that the meeting be adjourned at 1:13 p.m. All present voted in favor.

Kate Munteer, Board Secretary

**Executive Session topics discussed:** Landscaping (mowing and clean up) bids received;  
Rules violations

**Upcoming Meetings:** April 20, May 4 –Spring Community Meeting with vote on assessment, May 18, June 15, July 20, August 17, August 31 –Fall Community Meeting, election of new Board members.

## **MBA COMMITTEE REPORTS – March 2024**

### **COMMUNITY FACILITIES, Don Deraska**

**Roads/General:** The sinkhole @ 32 E. Addy Rd remains stable after filling with rocks and gravel. I have confirmed with homeowners (John & Angela Courtis via their son, Spero) that they will take care of final surface restoration [replacing pavers].

**Drainage:** Harry Caswell was planning to start jetting of culverts (and clearing debris from some of swales) on 3/8/2024, but this was delayed to 3/11/2024 due to weather.

As may be mentioned in other reports, we were notified by our arborist Jeremy about 5 dead trees adjacent to the swales in front of 17 Addy Rd. He noted the water in the swale looked contaminated & may be the cause. Margie Cyr inspected the area & took pictures - there seemed to be a visible sheen on the surface of the water beginning at 19 Addy & extending down to 9 Addy where the phragmites start. [She found that the water in the swales with phragmites (9, 7, 5 Addy) looked normal without any sheen]. The water in the south Addy Road swale seemed normal as well. Holly Fluty Dempsey reached out to Blake Moore & Cathy McCallister contacted DNREC. Corporal Carpenter from DNREC code enforcement did a site visit on 3/5/2024 & determined there was no evidence of contamination. He felt the discoloration & sheen on top of the water was due to debris at the bottom of the swale & that the surrounding trees are in “hibernation,” not dead. He felt soil/water testing was not required. We’ll monitor the appearance of the water in the swale once Caswell has jetted the culverts & pipes. Clark Tree service will be removing the dead trees once Caswell has completed their work along this stretch. We’ll also keep an eye out for any ongoing problems with trees but this may simply be a case of trees dying off in standing water & poor water quality due to organic debris that may improve once the drainage is improved.

**Guard Shack area:** The security camera system installation at the Guard Shack is complete. We’re planning to replace the part of the drywall ceiling that was removed for this & install a permanent hatch for attic access in addition to building shelving for the recording equipment for the video system & air conditioner.

**Beach Walkways/Dunes:** The dune grass that was planted in the selected bare areas of our dunes on 2/9/24 is showing signs of life, and the older dune grass is spreading nicely, including some sprouts growing in the middle of the Addy beach walkway!

**Fencing:** Eastern Shore Porch, Patio and Fence completed the fence work along Route 1 & at the west end of Bridge Road. Dave Wiecking, George Rayburn & Chuck Taylor are working on reinstalling the gates (at least one of which will require a new metal frame). Dave has detailed plans from his past work as CFC chair that we’ll be using.

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## **BUILDING COMMITTEE**, Margie Cyr

**Building Committee** There is one large project just beginning and another has just been submitted for review. Both of these are on the Pine Side. Construction activity remains high. We are in the last quarter now of MBA's construction season and the Committee is hoping to close out all the projects that have been held over from the previous years. The Committee has continued its work on review and revisions of the Rules and Regulations for Construction.

**Kent Avenue Drainage** Paul and Margie sent DNREC the 2017 DNREC Proposed CleanOut map for the area around the Bayside Tennis courts and through South Bethany. This particular clean out was not accomplished because of the permitting requirements in the marshland and the proximity of permanent structures along the route. DNREC continues to work on the second survey for drainage from Kent Avenue into Assawoman Bay. The survey has been partially completed but the second part of it (views from the marsh) has been delayed due to excessive rain and higher than normal tides.

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## **COMMUNITY PATROL**, Kerry Hall

No calls received on CP phone.

Currently working on refinement of SOP's and performance evaluation processes for 2024. Master Schedule and revised SOP's and performance evaluations should be completed by April meeting. Also, in process of designing and acquiring refreshed uniforms with the Middlesex Beach logo (source of current shirt logo unknown). Individual names will be printed on the shirts as well.

**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 from the ad (2) and staff referrals (3). All shifts (Day and Night) are fully staffed but that is always subject to change. The 10% night differential was well received, which helped with staffing.

**Security Camera:** Installation completed on 2/21/24, two cameras are mounted on guard shack and operational. One camera is pointing west down Bridge Road and one camera is pointing North up Dune Rd.

**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.

**AED:** Acquisition of a new unit to be mounted on Guard Shack for 24/7 access was approved during the February meeting, related potential issues as well as coordination with Beach Patrol (Training, etc.) under discussion.

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## LANDSCAPING, Holly Fluty Dempsey

Coastal Plant Care removed a dead pine on Evergreen and completed winter pruning. Tasks included:

- Beach Plum Road pruning to remove Bayberry, Crape Myrtle, and Vitex sucker growth and removing visible dead branches along Beach Plum.
- Using Tree ID maps, pruning to clear all lights, walkways, signs, homes, etc. by an additional 6-8' or to the extent possible, and pruning to remove lower branches to increase over-head clearance as appropriate for the tree and its location but no greater than an additional 8-10' of overhead clearance from any given portion of each tree.
- Sheared Hollies along Beach Plum to remove new growth and to create a more formal appearance.
- Noted dead MBA trees with follow up on water quality with CFC in progress.

DELMARVA Power indicated they will not remove more than three trees on their Bridge Road property, plan to remove debris and grind stumps, and use a contractor to plant grass. Review of turf maintenance responses to the RFP.

Dead trees noted on Addy.

Landscaping portion of community-wide questionnaire finished on January 30th; awaiting remainder of questionnaire for issuance.

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<p><b>Social Committee</b>  <b>Middlesex Beach Association – March 2024</b></p> <p><b>Rev. 3-11-24</b></p>
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Activity	Date	Description
<b>BBQ / Lifeguard Meet and Greet</b>	Saturday, May 25 (Rain date: May 26) Memorial Day Weekend	Welcome to the new season on the beach!
<b>Family Block Party</b>	Monday, July 1. (rain date: July 2) 4 <sup>th</sup> of July Week	Planned for MXB families with children to gather and get to know one another.
<b>Celebrating 65<sup>th</sup> Summers of Middlesex</b>	Labor Day Weekend Aug. 30 – Sept. 1 (Community Meeting)	<i>Watch for news of special events!</i>

<p><b>Happy Hours</b></p>	<p>May 4 – Glasgow (Spring Meeting)          June 15 - Thiede          July – Could it be you?          Aug 16 – Rivest          Sept 7 - Hendrick          Oct 5 – Sheffey</p>	<p>Hosts are still needed for July. Please contact          Kate Munteer,  <a href="mailto:social@middlesexbeach.org">social@middlesexbeach.org</a></p>
<p>New Member Welcome</p>	<p>ongoing</p>	<p>Members welcome new owners to this special community with individual calls and visits.</p>