



Board Meeting Minutes

Saturday, September 16, 2017

The meeting was called to order at 9:15 AM by the President, Jeff Sella, at the Bethany-Fenwick Area Chamber of Commerce.

Board Members Present:

Sharon Adams, Judy Bennett, Margie Cyr, Jim Dempsey, Tris Kruger, Steve Larsen, Jeff Sella, and Ellen Throop.

Others Present:

Ginny Heier (Right Property Management), David Taylor (Beach Patrol Committee), Steve Norman, David Burgess, Marty Shecter, Nancy Glasgow, Glenn Hamilton, Carol Selig, Mary Vollmer, Peggy & Chuck Taylor, Mark & Terri Reilly, Mary Byrd, Pam Baratta (by phone), and Paula Sella (by phone).

Review of September 2 Board Meeting Minutes:

Tris Kruger motioned to approve the September 2 9:00 AM Board Meeting Minutes as written. Judy Bennett seconded. The September 2 9:00 AM Board Meeting Minutes were approved as written.

The September 2 Community Meeting Minutes and the September 2 Board Organizational Meeting Minutes were not available for review. They will be reviewed at the October 21 Board Meeting.

Proposed Future Board Meetings:

Jeff Sella asked the Board to review the proposed future Board Meeting dates – October 21, November 11, December 16, January 20, February 10, March 10, April 21, June 16, July 21, and August 18. No changes were made.

Application for New Commercial Sign: Judy Bennett and Steve Norman

Judy Bennett introduced Steve Norman, an attorney who will be leasing space at Bennett Realty. He presented photographs and an application for installation of a proposed digital ground sign which he wishes to install at the site. There was a discussion on the digital aspects of the sign. A Board review of sign compliance issues will be discussed in Executive Session.

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Property Manager's Report: Ginny Heier

Ginny Heier contacted Delmarva Power regarding the replacement of lines and transformers along Dune Road. The work is planned for October but will not be in progress in early October when the repaving of Dune Road is scheduled.

The additional yard waste pickup that was provided at no charge to Middlesex was misunderstood by the community and will be rescheduled.

Recycling problems were discussed. One major issue is non-recyclable items in recycling cans that prevent pickup. Ginny will try to obtain magnets that list approved recyclable items.

Ginny has received no documentation from 5 Errett.

Community Members: Marty Shecter and Nancy Glasgow

Marty Shecter and Nancy Glasgow presented a petition with 60 signatures asking to establish a rental fee for houses that rent. The petition states:

"We the undersigned do petition the Middlesex Beach Association Board of Directors to institute a 6-8% "rental fee" to rental properties in the community of Middlesex Beach. This fee is to be calculated as a percentage of the total gross receipts of said rental property annually. In order to regulate this fee, a \$100 "rental licensing fee" will be charged at the beginning of each year to property owners who intend to rent their homes."

They offered the following supporting statements:

"These fees have become a necessity in order to defray the escalating costs created by summer rentals, and increasing costs for services including but not limited to: security, lifeguards, trash/recycling pick-up, and wear and tear on roads and property."

"A majority of the surrounding communities implement a similar fee to offset their costs (e.g. South Bethany, Town of Bethany Beach, Sussex Shores). Enforcement of this fee is to be carried out in a similar manner as other jurisdictions such as fines and restrictions, should a rental property fail to pay said fee."

"This policy will not only reduce association fees, but will increase the health and welfare of the community for years to come."

Jeff Sella will contact our attorney to determine the legalities of how to proceed and will get back to Marty and Nancy.

Community Member: Carol Selig

Carol Selig asked that the Board address the parking issues on the beach side. She had several suggestions to solve the problem. Mary Byrd stated that she was representing Connie Thomas who had set up an ad hoc committee to address the problem. Ellen Throop stated that the Board needs to approve committees. Margie Cyr moved and Tris Kruger

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seconded that the Board authorize the ad hoc committee to study the issue and present their proposal to the Board by the February 10 meeting. All in favor. The committee comprised of Connie Thomas (Chair), Tris Kruger, Mary Byrd, Kent Rayburn, and Chuck Taylor.

Community Member: Jeff Sella *for* Pam Baratta

Jeff Sella stated that Member Pam Baratta would like to set up a committee to study beach pass use. A committee consisting of Pam Baratta (Chair), Steve Larsen, and Nancy Glasgow was approved.

President's Report: Jeff Sella

McCabe will be cleaning ditches in October. Jeff Sella reminded the Board that the ditches along Kent Avenue are so blocked that our ditches cannot drain. Ginny Heier will contact our legislators (Ron Gray and Gerald Hocker) to see if they can help to get the Kent Avenue ditches cleaned.

Carol Selig asked about spraying for mosquitos. The State of Delaware has sprayed within the last month and monitors when spraying is deemed necessary.

Matt's Paving will begin repaving and widening Dune Road the first week of October. The road will be closed one day to complete the work. Members have asked that parking spaces be delineated by hot stamping with sand color. Tris Kruger moved and Margie Cyr seconded that hot stamping be approved. All in favor. Margie Cyr asked that she be informed on the exact day of the work so that she can inform contractors.

Ginny indicated that she will attempt to extend trash collection next year through Labor Day.

Jeff discussed the installation of a Mobi Mat on the Addy Road walkway to provide requested handicap access and ADA compliance on the walkway. One 100-foot mat is \$3,700. Sharon Admas moved and Tris Kruger seconded that we purchase one mat to provide the requested access on one walkway and also to provide a test case to evaluate the use for other walkways. All in favor.

A question was raised about the dates indicating when dogs can be on the beach and if we are required to comply. Jeff will check State of Delaware laws.

Treasurer's Report: Jim Dempsey

The August results were received too late to review. Indian Beach reimbursement figures are almost completed.

Commercial Committee: Judy Bennett

Produce stand trash enclosure – the produce stand has closed for the winter so not an issue at this time. Some minor cleanup will be requested.

The letter proposing a fine for 30 Beach Plum has been circulated to the Legal Committee.

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Steve will review today and provide final permission for sending to the Member.

Building Committee: Margie Cyr

There are multiple large projects already approved and more to come - demolitions, new homes, major renovations, solar panels – as well as small projects. Margie commented that all homes that have been built meet all covenant restrictions.

Beautification Committee: Tris Kruger

The berm that is proposed for the end of Addy Road was discussed. Before any work can be done, we may need a dirt moving permit. Several Board members asked to have a site visit to confirm what work should be approved.

Security Committee: Steve Larsen

Steve commented that there should be consistency and transparency in our violations process. Owners who rent are (by our covenants) 100% responsible for the actions of their renters and/or guests. The community should know the rules and penalties that exist. He submitted a draft for review that will be on the agenda for the October meeting.

The Security golf cart will be stored at OMNI for the winter. Ginny will call to arrange pickup. "Dennis" will remain in the community as the vehicle is used for Community Facilities work.

Beach Patrol: David Taylor

The rental house lease for the lifeguards has been completed and our deposit should be returned soon.

David will check with the Foremans to get approval for storing the lifeguard chairs.

Competition funding will be reviewed with our attorney (on or off payroll when competing).

Executive Session:

The Board voted to go into Executive Session at 12:38 PM to review the disrespect of beach patrol, 53 Dune noise violation, 9 Dune proposed construction, and the aforementioned commercial sign request.

The Board came out of Executive Session at 1:58 PM.

Adjournment:

Sharon Adams motioned to adjourn. Margie Cyr seconded.

The meeting adjourned at 2:00 PM.

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Next Board Meeting:

November 11 at 9:30 AM at the Bethany-Fenwick Area Chamber of Commerce.

Respectfully Submitted,
Sharon Adams, Acting Secretary