



## Board Meeting Minutes

Saturday, October 21, 2017

The meeting was called to order at 9:30 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), Dave Burgess (Budget and Legal Committees), Ron and Connie Thomas (34 E.Short), Terri Reilly (7 Short), Nancy Glasgow (11 Errett), Marty Shecter (19 Bayberry), Steve Norman (2 Beach Plum), Paula and Jay Sella (25 Short), Pam Baratta (9 Bayberry).

### **Review of September Board Meeting Minutes:**

M.Cyr motioned to approve the September 16, 2017 Board Meeting Minutes as corrected. J.Bennett seconded. All in favor.

M.Cyr motioned to approve the September 2, 2017, 9 a.m. Board Meeting Minutes as written. J.Bennett seconded. All in favor.

S.Adams moved that the draft of the September 2, 2017 Community Meeting be approved as written for final approval at the May Community Meeting. M.Cyr seconded. All in favor.

### **Property Manager's Report: Ginny Heier**

Ginny contacted Ron Gray and Gerald Hocker about the ditches on Kent Avenue. There is a damaged pipe and the County has promised to look into repair of the pipe and cleaning the ditches.

She discussed various trash pickup problems with Allied Waste (Republic) and Allied has just replaced the immediate supervisor, which they feel will improve service.

Installation of new Delmarva Power poles is proceeding along Dune Road. However, the sub-contractor has been removing brush and other organic debris on MBA property. Delmarva Power claims that it is not their job to remove. Removal costs are estimated at \$1,500. She is still attempting to get Delmarva Power to remove the debris.

Ben McCabe from McCabe and Sons Landscaping has been cleaning the MBA ditches of leaves, pine needles, pine cones and other debris.

## October 21, 2017: MBA Board Meeting Minutes

### **Community Reports:**

#### **Usage of Beach Committee:** Pam Baratta

The Committee prepared a handout for each board member outlining some suggestions they have for the 2018 summer season. Suggestions included changes to number of passes provided, pass occupancy rates, special events, community spirit events, and beach facilities. The Committee asked for feedback from the Board so that a final proposal will be ready in February.

#### **Parking Committee:** Connie Thomas

Parking recommendations are in progress but are still being formulated. The next meeting of this committee will be November 1. Suggestions from various residents include differentiating between parking passes and entry passes.

#### **Marty Shecter:**

Jeff stated that letters have been sent to our attorney asking for her opinion on (1) the mechanics of the petitions for a rental tax and (2) what we can do under the current covenants. When a response is received, Jeff will contact the Member.

Jeff also responded to previous questions about limited access for dogs on the beach in season. Delaware does not permit dogs on beaches from May 1st through September 30th. Only municipalities can have their own rules and MBA is not a municipality.

Marty stated that he requested DeIDOT install “yield to pedestrians in crosswalk” signs at the north and south entrances to MBA on Route 1.

Marty requested that the Board consider purchasing a beach wheelchair for \$1095. More research is needed concerning the storage, maintenance and use.

Marty volunteered to purchase, install and maintain a dog waste disposal station on Beach Plum Road however the Board opted to assume responsibility for purchasing the dog waste disposal station. Ellen moved and Jim seconded that two disposal stations be purchased. One will be installed on Beach Plum at Bridge Road. The other location will be decided later. All in favor.

#### **Sign Request:** Steve Norman

Steve Norman is requesting approval for new signs for his offices at 2 Beach Plum—3 signs to be placed on the front (east) and sides (north & south) of the building, a temporary banner ground sign, and a permanent digital ground sign that could change messages at set intervals. The sign on the East side of the building would be illuminated. There was a discussion on the definition of “flashing”, whether our covenants permit such signs and what would be the frequency of the new message. Issue will be discussed in the Executive Board meeting. It was suggested that Judy Bennett (owner of the property) submit 3 permit requests (building signs, temporary sign, and new ground sign) for approval.

Ellen moved and Jim seconded that Jeff be granted permission to approve the first two permits (building signs and temporary ground sign) provided they meet the provisions of our covenants and as discussed. All in favor.

## October 21, 2017: MBA Board Meeting Minutes

### **President's Report:** Jeff Sella

Jeff reported on a conference call with Bob Valihura concerning the upcoming beach replenishment at Fenwick Island, South Bethany and Bethany beaches. As private beaches, neither Sea Colony or Middlesex Beach will receive any replenishment sand. The question was raised about access to our beach to enable dredging equipment to move north to Bethany from South Bethany. The Board has not received any request for access at this time. There are two types of permits—scraping permit and replenishment permit. It is recommended that we renew our scraping permit but not request a replenishment permit.

Jeff contacted Comcast about extension of their coverage to Sea Colony to determine if the coverage area will include Middlesex Beach. At this time, Comcast has no plans to extend coverage beyond Sea Colony.

Jeff also contacted Verizon. They said that they do not have any current plans to bring Fios into Middlesex Beach.

### **Treasurer's Report:** Jim Dempsey

We are on target with the budget. Some of the expense classifications may need to be changed but totals are good. The Budget Committee needs to start planning for next year.

### **Building Committee:** Margie Cyr

Construction has begun for 9 and 17 Dune. 46 Dune is planning a large renovation project (demolition of all but front wall of house).

### **Security Committee:** Steve Larsen

Due to length of meeting, discussion of suggested changes will be deferred to next month.

### **Community Facilities:** Jeff Sella

The collapsed culverts at 135 and 125 Evergreen need to be replaced. Ellen confirmed that the expense is the responsibility of the Association. A bid of \$3,800 was submitted for 125 Evergreen however there was no itemized bid for 135 Evergreen. Sharon moved and Tris seconded that the work be scheduled as bid for 125 Evergreen and upon the receipt of a reasonable separate bid for 135 Evergreen be scheduled there at the same time. All in favor.

Dune Road paving has been put on hold until a decision is reached on whether we need to survey before commencing the work. The Board is waiting to get a bid on the cost of a survey. There was a discussion on how much Dune Road should be widened.

The dune crossing at Evergreen may be partially on private property. Although we have an easement, the crossing may exceed the limits of the easement. Steve moved and Margie seconded that a survey of 6 Dune and 8 Dune property lines be scheduled to determine where to move and rebuild the dune crossing. All in favor.

### **Beautification Committee:** Tris Kruger

Ben McCabe has not submitted any plans for the plantings discussed this fall. Tris will try to contact him again.

## October 21, 2017: MBA Board Meeting Minutes

### **New Business:** Jeff Sella

Jennifer Kazemzadeh has tendered her resignation by email to the Board. The Board will appoint someone to fill that vacancy. Term of office will expire at the September 2018 Community Meeting. Ginny will send an email blast to the community to inform them of the resignation and solicit any interested candidates for the position.

### **Executive Session:**

The Board unanimously voted to go into Executive Session at 12:40 pm to (1) discuss violation letters sent to 53 Dune and 131 Evergreen and (2) discuss approval of signs for 2 Beach Plum.

The Board came out of Executive Session at 12:58 pm. As a result of the Executive Board meeting the Board voted to:

- 1) **53 Dune** — to assess the \$100 fine for noise violation;
- 2) **131 Evergreen** — because notice sent too late for attendance at October meeting, owners may attend November meeting to discuss noise violation fine.
- 3) **2 Beach Plum** — building and temporary ground sign were approved if permit reflects language discussed in the Board Meeting. Approval for digital sign requires new permit submission and further consultation with the Board to determine whether sign will conform to covenants.

### **Adjournment:**

Ellen motioned to adjourn. Jim seconded.

The meeting adjourned at 1:00 pm.

### **Next Board Meeting:**

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

**Respectfully Submitted,**  
Tris Kruger, Acting Secretary