



## Board Meeting Minutes

Saturday, January 20, 2018

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, Dave Burgess, Tris Kruger, Jeff Sella, and Ellen Throop.

### **Others Present:**

Ginny Heier (Right Property Management), Mary Byrd (Social Committee), David Taylor (Beach Committee), and Pat Hurley (Associate for Norman Law Firm). Since P. Hurley is not an owner in MB, Judy Bennett (as the Norman Law Firm's lessor) authorized his presence.

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

Margie motioned to approve the December Board Meeting Minutes with corrections. Judy seconded. The December 2017 Board Meeting Minutes were approved with corrections.

### **Property Manager's Report:** Ginny Heier (Right Property Management)

Snow removal contractor did a good job clearing our roads. Many communities have been billed upwards of \$6000 but we have not yet seen our final bill. Delmarva Power accepted the undeserved thanks for the debris cleanup after their power line replacement even though the MB CFC (Dave and Joe) actually did the work. The house at 10 Dune suffered a break-in — windows broken and all TVs stolen. Residents at 12 Dune noticed the break-in and reported the incident. Comcast has not completed the transition from Mediacom at Sea Colony due to a contract dispute and subsequent litigation with Mediacom. Ginny assured the Board that the transition from RPM to CAS would be a smooth transition.

### **Security:** Ellen Throop

Ellen presented the Legal Committee draft of the new violation policy and asked for discussion and further review by the Board. Ellen will edit, circulate to the Legal Committee, and then submit to our attorney, Mary Schrider-Fox, for her formal review. Discussion will continue at February meeting.

Steve also emailed a draft Community Survey to the Board and asked that Board members review it and submit suggestions within the next week so that a final draft will be available for

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the February Board Meeting.

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

Jeff signed the CAS Property Manager contract per the direction of the Board in the December meeting. After signing, he informed Ginny Heier and Linda Smith of our decision to change from RPM to CAS. Jeff praised the 10 years of service that Ginny has provided to our community and stressed that she will be missed by both the Board and community members. Ginny reiterated that the transition to the new company would be smooth.

The Board discussed whether there is a need for a complete financial audit due to the change. Audits could be a full Audit (all transactions and very expensive), a Review Audit (some transactions and somewhat less expensive) or a Compilation Audit (our standard for financial statements). The Treasurer reviews our accounts monthly and opined that while there may be a few misallocations of funds between internal accounts, all funds are accounted for and he felt that a Compilation Audit as of 3/31/18 should be sufficient for the transfer. The Board agreed. Ginny will provide a thumb drive to the Board of all the RPM financials for MB.

New CAS property manager will be RuthAnn Barnes. Office is located in Ocean City at 86th Street and Coastal Highway. CAS' owners are Mary Grimm and Susan McCurdy.

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

Jim reviewed the January financials and reported that other than some misallocations for internal accounts, all of our funds are in order. All property assessments for this year have been paid. He noted that the RPM to CAS transition will be challenging but will rely on Jeff's wide experience and Ginny's coordination to make the change as easy as possible. The budget for 2018/19 is in process. Board was reminded that expenses may rise because of the general 2.7% inflation rate.

### **Committee Reports:**

#### **Beach Committee:** David Taylor

David has talked to Justin about hiring guards for this summer—there may be a greater percentage of local guards. Ginny mentioned that Justin told her that the Indian Beaches may be looking elsewhere for their lifeguard staffing. If true, that would lower the number to be hired. David will decide later if we need to secure lifeguard housing this year. We also need to get a contract extension in writing for our rental of the Guard House at 30 A Dune,

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

Margie discussed the ongoing building projects:

17 Dune—moving along quickly with no problems

9 Dune—Northeast property marker missing and must be replaced to accurately measure

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setbacks. Has had 2 “porta potty on community property” violations. In addition it was mentioned that they are not satisfied with the pool placement but the building committee has not received anything..

31 E. Errett—have a permit to repair deck. A portion of the deck may be in the setback so important to verify whether this is a repair or replacement to qualify for grandfather provision.

46 Dune—plans have just arrived so have not been vetted yet. Two walls are currently in the setback. Need to check 45% rule and decide whether renovation or new construction. Project to start after Labor Day.

13 Bayberry—has an approved emergency foundation repair permit.

5 Short—will submit plans next week.

53 Dune—is propane tank in setback?

Margie has concerns about the transition to CAS to ensure that forms and procedures be changed to reflect where plans must be submitted and to track the Building Committee spreadsheets and records.

### **Commercial Committee:** Judy Bennett

Car with For Sale sign parked at 22 Beach Plum. Owner of property (who owns the car) was asked to remove since selling cars is not permitted. Car is still there so violation letter will be sent. The sign in the nail salon was flashing in violation of covenants. Judy requested that then flashing be turned off and owner complied.

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

Major concern is Dune Road paving and the survey required. Ginny will forward the quote she received from Foresight Survey to Jeff for review. Decision needs to be made on the added width—1 foot or up to 2 1/2 feet.

### **Social Committee (and Parking Committee):** Mary Byrd

Happy Hour is scheduled on March 16 at Tris Kruger’s house. Mary is looking for additional volunteers for this year’s Happy Hour events.

Parking Committee will submit a written report next month.

### **Executive Session:**

The Board unanimously voted to go into Executive Session at 10:50 am to discuss:

1. 3 Addy
2. 30 Beach Plum
3. Normal Law Firm legal action

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The Board came out of Executive Session at 11:57 am. As a result of the Executive Board Meeting, the Board voted:

1. 3 Addy will be sent a violation letter asking owner to remove within 30 days the sand that has run off from their property into the ditch and is clogging the community ditch. If the clogged culvert is not cleaned, MB will contract for the removal and send the bill to the property owner.
2. 30 Beach Plum repaved the parking lot and did not get a building permit. Owner has not responded to the first violation letter with a fine of \$100. A new violation letter will be sent with an additional \$100 fine. Owner will also be required to submit a building permit with the appropriate fee.
3. Our attorneys will be responsible for responding to the Norman Law firm (Bennett Realty) lawsuit. NOTE: Judy Bennett recused herself from this portion of the Executive Session.

### **Adjournment:**

Jim motioned to adjourn. Ellen seconded.

The meeting adjourned at 12:03 pm.

**Next Board Meeting:** 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

**Respectfully Submitted,**

Tris Kruger, Secretary