



## Board Meeting Minutes

Saturday, March 10, 2018

The meeting was called to order at 9:30 by the Vice President, Ellen Throop, at the Bethany-Fenwick Area Chamber of Commerce.

### **Board Members Present:**

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

### **Others Present:**

RuthAnn Barnes (CAS), David Taylor (Beach Patrol Committee), Mary Byrd (Social Committee) and Greg Pichler (20 Dune).

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

February Board Meeting Minutes were not provided in the Board package due to CAS not receiving them. David Burgess will send February Minutes to the Board via email so that they can be reviewed and then approved at the April Board Meeting.

### **Property Manager's Report:** RuthAnn Barnes

1. Kent Avenue ditches—RuthAnn contacted Representative Ronald Gray who checked with DNREC and Sussex Conservation. Travis Schirmer (DNREC) met with RuthAnn (3/8/18) at Kent Avenue and provided a topographical map of the drainage area and said that a height elevation survey would be beneficial. They are aware that the drainage pipe by the tennis courts is not working properly and would not be easy to correct. He will write a report and send it to CAS.
2. Delaware law states that dogs are not permitted on Delaware coastal beaches between May 1 and September 30. New signs have been posted at each walkway with the proper dates. State fines are \$25-\$50 for first offense and \$50-\$100 for each subsequent offense.
3. Transition from RPM is continuing. All checks have been received to close out former accounts and open new accounts at Bank of Omaha. Jim Dempsey (Treasurer) asked that he be given copies and kept informed of these transactions. Homeowner files are being keyed into the system. Transition information letters have been mailed to homeowners and posted on the website. CAS uses [homewisedocs.com](http://homewisedocs.com) for resale certificates—app will be on our website and homeowners can log on and ask for a resale certificate. The TOPS application will be used for violation letters. Payroll will be processed through ADP—pay periods will be 2 weeks and will require direct

## March 10, 2018: MBA Board Meeting Minutes

deposit. David Taylor and Steve Larsen expressed concern about not paying employees weekly and asked CAS to research the difference in cost to provide weekly pay periods. Letter sent to G&E Hardware to notify them of the change in management companies and the new address for billing.

4. Bill pay—all services or contracts must be approved by the Board prior to work being scheduled. RuthAnn discussed the process for check approvals and will work with the Treasurer on his desired involvement in the process. There has been some difficulty with Verizon to change the billing address for the Community Patrol cellphone.
5. Verizon contacted RPM to inquire about renting poles on Errett, Dune, Beach Plum and Bridge Roads to research lease agreements for VZT poles. No decisions have been made by Verizon at this time.
6. Recycle information—RuthAnn obtained 350 magnets and posters from Delaware Solid Waste Authority listing approved items for recycling. These will be included in each homeowner's packet.
7. Document storage—RuthAnn requested assistance from the Executive Committee to determine what paperwork we need to keep. The boxes she received from RPM as well as those kept by individuals should be stored in a safe area. Bayside Mini Storage in Frankfort, DE will provide a climate controlled, 5 x 10 unit for \$59/month with a \$35 deposit. If lease is for one year, 1st and 7th month are free. Board unanimously authorized RuthAnn to reserve the space.
8. The required twice yearly public notice for our private beach was placed in *The Wave* on 2/20/18 and will be repeated in July 2018.
9. Directory, Beach passes and Parking passes—RuthAnn had proofs of all three. Updates to the Directory need to be approved—Margie Cyr will review the Building Committee verbiage; QR codes will be placed on beach passes when they are laminated. Steve Larsen requested that pass numbers be printed prominently on the beach passes so that they are visibly identifiable from a distance as well as through the cellphone app. Some attendees expressed concern about the change from 2/household to 1/household for beach passes. It is critical that parking and beach pass changes be carefully and completely explained to property owners.

### **President's Report:** Ellen Throop for Jeff Sella

The community survey has had 121 responses to date.

The Board was asked to approve the new version of MB Rules & Regulations for Construction, Repair, Tree Removal, Demolition, Paving, Maintenance & Other Work. Margie stated that the document revision was done to improve consistency, clarity, coordination, and update wording. No changes were made to fees and deposits. One change proposed to the document was to change #23 to #24 and replace #23 with the following: "Driveways and Parking. New construction on the Ocean side of the MBA community cannot be configured to remove or to reduce any existing community street parking spaces on the ocean side. An undeveloped property, however, will be assured driveway access. Driveways may be a maximum of 12 feet wide at the street, and only one

## March 10, 2018: MBA Board Meeting Minutes

driveway is permitted per property.” David Burgess will clarify the language about emergency permits in 1.d.i&ii. Regulations for swimming pools was also approved.

### **Executive Session:**

Steve Larsen moved, and Ellen Throop seconded, that the Board go into Executive Session at 11:34 am to discuss sign language. Judy Bennett recused herself. Board came out of Executive Session at 11:37 am.

As a result of the Executive Session, the language in Section 22.d concerning specific maximum luminance measurement will be removed.

Margie moved, and Sharon seconded, that the new Rules & Regulations be adopted and mailed to the community 30 days before the May meeting. All in favor. Since the 2018/19 budget will not be available at that time, the Board authorized 2 mailings for the May meeting. Margie stated that the new Rules & Regulations will not be bound in the Directory but will be an insert to the book.

Capon Culvert Agreement—Legal Committee will have comments prepared by Wednesday, March 14.

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

Jim discussed a draft copy of the 2018/19 budget in progress. We don’t know the year-end results so a Y-E Actual for 2017/18 is not available at this time to determine if there will be surplus funds. Planned expenditures for March include landscaping and a new Community Patrol cart. Discussion ensued about how much should be budgeted for the Beach Replenishment Fund. Expenses will increase next year because of legal expenditures, salaries, and general cost of living. Since the budget with Y-E numbers will not be available to mail 30 days before the meeting when Building Regulations must be mailed, a separate mailing was approved for the meeting materials—President’s Letter, agenda, budget approval.

### **Committee Reports:**

#### **Social Committee:** Mary Byrd

Mary reminded us of the March 16 Happy Hour at T.Kruger’s home (41 Dune) and asked for volunteers to host additional Happy Hours.

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

One commercial property inquired about the possibility of installing a miniature golf course, however she told them it would not be acceptable.

#### **Community Facilities Committee:** Ellen Throop for Jeff Sella

Dune Road Survey—the bid for \$10,600 from Foresight Services was unanimously approved by the Board for signing.

## March 10, 2018: MBA Board Meeting Minutes

Addy berm—on hold.

Second dog waste station—planned for installation on Dune Road when a suitable place is identified (either end of Dune? or by the Bridge Road entrance?) Board recommended that we wait until the survey is completed and nearby homeowners have agreed to the placement.

### **Community Patrol:** Steve Larsen

Steve presented the options for a new Community Patrol vehicle, either a used SUV or an electric golf cart to replace the current gas-powered golf cart. Board voted to purchase the electric golf cart. The towing policy was discussed and accepted if Legal Committee approves. RuthAnn placed ads online and in the paper to recruit security staff and received 19 applications online and 3 from the newspaper ads. She will review those applications. RuthAnn will attend a Jobs Fair at DelTech in Georgetown on March 27. Sharon offered to go as well.

### **Legal Committee:** Ellen Throop

30 Beach Plum paving issue—property owner has requested copies of association files and will be directed to contact CAS to determine what he needs.

3 Addy—violations still in dispute with owner.

Parking and towing policy—in review with our attorney.

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

David is reviewing his budget and wanted some clarification on the categories from last year as to what each included. He asked about progress on the lease for the Guard House including possibly getting a 10-year lease.

### **Beautification:** Tris Kruger

McCabe & Sons Landscaping has promised installation of the plantings at the Bridge Road main entrance by March 16.

### **Adjournment:**

The Bethany-Fenwick Area Chamber of Commerce was closing so Sharon moved and Steve seconded that the Board adjourn at 1:06 pm and resume the meeting in an Executive Session at Tris Kruger's home at 1:30.

### **Executive Session:**

The Board voted to go into Executive Session at 1:30 to discuss: (1) Steven Norman lawsuit and (2) unauthorized sign at 2 Beach Plum.

The Board came out of Executive Session at 2:30 pm.

## March 10, 2018: MBA Board Meeting Minutes

### **Adjournment:**

Jim motioned to adjourn. Steve seconded.

The meeting adjourned at 2:35 pm.

### **Next Board Meeting:**

April 21 at 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

**Respectfully Submitted,**

Tris Kruger, Secretary