



Board Meeting Minutes

Saturday, January 19, 2019

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, Nancy Glasgow, Tris Kruger, Steve Larsen, Jeff Sella, Marty Shecter, and Ellen Throop.

Others Present:

Mary Grimm (CAS), Greg Pichler (20 Dune), Tim & Janie Switzer (1 Dune), Carol Tucker-Foreman (11 Dune), Paula Sella, Jay Sella, and Pam Baratta (25 Short).

Review of December Board Meeting Minutes:

The December Board minutes were reviewed. Margie motioned to approve the December Board Meeting Minutes. Ellen seconded. All in favor.

Property Manager's Report: Mary Grimm (CAS)

Ruby has contacted Delmarva Power and secured confirmed work orders for missing street lights on 2 poles on the north end of Dune Road. Delmarva removed lights on 2 poles during their upgrade work and did not replace them. Despite the confirmed work orders, Delmarva has still not replaced the lights.

Violation letters sent certified mail to 53 Dune were returned as undeliverable. Steve suggested that multiple communication methods be used—certified mail, regular mail, email and hand-delivered to door for this situation. Mary confirmed that the letters had been sent by regular mail and by certified mail.

Received several payments for other past due balances.

Ruby will work with Jeff, Steve and Marty to ensure financial entries are booked to proper accounts.

Ruby is working with Steve Larsen and David Taylor to begin hiring process for seasonal employees.

January 19, 2019 MBA Board Meeting Minutes

President's Report: Jeff Sella

Jeff has signed the 2019 CAS contract as directed by the Board. Ellen moved and Marty seconded that the Board ratify the signing. All in favor.

Jeff asked Marty for an update on the Ad Hoc Committee for Route 1 pedestrian safety. The pedestrian that was killed recently was crossing north of Middlesex Beach at night while not in a crosswalk wearing dark clothing with no light. The driver was not charged. DelDOT will place "Yield to Pedestrian" signs in the median at Bethany and South Bethany locations and will improve visibility of the electronic speed sign in the Middlesex median. Marty recommended that we emphasize safe crossing of Route 1 at the May Community Meeting and in the spring letter to property owners.

Jay Vending has once again requested permission to drive their vending golf cart across our beach to service both Sea Colony and South Bethany. The Board remains concerned about beach safety. Ellen moved that we deny the request. Judy seconded. All in favor.

Jeff thanked Greg Pichler for providing a draft of a website Privacy Policy. Ellen will work with Jay Sella and Greg to come up with a final recommended policy.

29 Addy has asked permission to remove part of the Beach Plum fencing in order to access the back of the lot during construction. Owners agreed to remove the fence, secure the fence during the removal time, replace the fence, and replace any landscaping that might be damaged. Downtime should be approximately two weeks. Margie moved and Marty seconded that we grant the request and approve the legal agreement prepared by the legal committee. All in favor.

Treasurer's Report: Steve Larsen

Steve sent a preliminary budget draft to the Board to begin the budgeting process. He asked that Committee Chairs review the numbers and provide input. He also asked that any new budget allocations be submitted. One big budget question – "Are we going to purchase more Mobi Mats for the walkways?"

Current budget is on track overall although some categories may be over or under budget. Some expenses may be charged to the wrong category (i.e. some Community Facilities payroll may be charged to Community Patrol). Steve and Jeff will review expense charging with CAS to show proper allocations.

Committee Reports:

Building Committee: Margie Cyr

Committee has received a request for the addition of a screened porch from 6 Errett that may have some setback problems. Building Committee will review the proposal.

The Building committee has encountered some problems with new contractors to MB who do not recognize that our rules may be different from Bethany or South Bethany. It was suggested that it may be helpful to schedule pre-construction meetings with the Building Committee, owners and contractors.

January 19, 2019 MBA Board Meeting Minutes

Community Patrol Committee: Steve Larsen

Most of the previous Community Patrol members have indicated that they would like to return this year. Steve is looking to hire two additional day hires and one additional night hire to provide enhanced coverage for required hours.

Steve discussed the possibility of installing security cameras to monitor the beach, especially the south end where we had several vandalism incidents last year. He believes that the perpetrators may be residing in a South Bethany house and that these individuals in particular vandalized fencing, dunes and signs several times. We lacked an eyewitness willing to testify to the police so no action could be initiated.

Commercial Committee: Judy Bennett

Produce stand has not submitted any plans for additional buildings and they are aware that they must submit any plans through the property owner.

The Sandy Pony and the Wang's World food trucks will not be returning next season but will instead be located in Bethany Beach.

Steve asked about the McDonald's parking lease and when it is due for renewal (May). Since we have limited parking available for employees, he asked that we consider making some of that space available for MB parking. He added that the placement of the speed bumps on Dune Road have improved safety and addressed some safety concerns. All parking and Dune Road striping needs review.

Community Facilities Committee: Jeff Sella

Carol Tucker-Foreman and Tris Kruger applauded the efforts Jeff made with Dune Road residents and Matt's Paving to alleviate concerns of homeowners during the repaving. There are a few places where additional gravel will be needed to close some gaps. Many of these gaps will need specific homeowner approval. Jeff will work with the contractor and homeowners to complete the project. Striping for parking spaces will be done in the spring.

The new snow fencing has added additional sand on the dune. The additional line of dune fencing now runs from the north end to Addy and should be completed to the south end soon, weather permitting.

Steve discussed the DNREC replenishment permit which would be required before MB would be able to participate in any future replenishment projects. Sea Colony has a new permit that does not have the expansive language that the previous permit had about beach ownership acquisition. A new 10-year permit would cost approximately \$20,000-\$30,000 for the required Engineering Study. Steve is still researching total costs of a permit.

Legal Committee: Ellen Throop

Norman lawsuit continues. On 12/23/18 sign had animated holiday message.

Mary Schrider-Fox sent a letter to Linda Smith (RPM) requesting payment for various losses,

January 19, 2019 MBA Board Meeting Minutes

penalties and expenses that occurred during RPM management. Linda Smith's attorney will respond.

Legal Committee will respond to a property owner e-mail about document inspection. Ellen will respond to property owner concerning Committee membership.

Document Request Process, Procedures for Violation Notices, Collection Policy and Privacy Policy for website are still in process with the Legal Committee

Margie moved and Marty seconded that the following topics be discussed in the Executive Session: Republic Contract for trash service, Herker Contract for snow removal, and Herker Contract for landscaping services. All in favor.

Beach Patrol Committee: David Taylor by email to Jeff Sella

Beach Patrol will begin daily coverage on the Saturday of Memorial Day weekend (May 25) and end Labor Day Monday (September 2). The next two September weekends will have coverage on Saturday and Sunday only.

Usage of Beach Committee: Pam Baratta

Pam provided draft copies of the proposed 2019 Beach and Parking passes for Board review. "Non-transferable" will be added to the passes. "Large groups" will be changed to "Groups over 25." Dates on the passes will be checked for accuracy. Color this year will be light purple.

Several board members advocated to change our smoking policy from smoking permitted in a selected area to "no smoking on the beach from May to September." Steve moved and Marty seconded that "All smoking on the beach is banned from May 1 through September 30." Vote was 7 for and 2 opposed. Motion carried. No smoking language will be added to the beach pass. Steve requested that No Smoking signs be placed at the end of each beach walkway.

Board discussed the number of beach and parking passes. Mary Byrd sent a written request to go back to 2 beach passes per household.

Greg Pichler stated that, although he had doubts last year about a single beach pass working well with renters, he had no problems with it. He further stated that when owners rent, the owner concedes property rights to the tenant.

It was noted that parking overflow was reduced last year with the single beach pass. Sharon moved and Ellen seconded that we continue to issue one beach pass per property. All in favor. QR codes will be printed on each pass.

Ellen moved and Judy seconded that we issue 2 hanging parking passes and 1 sticker parking pass to each property. All in favor.

Board reviewed the three possible covers that Mary Byrd submitted for the Directory and chose the single umbrella painting.

January 19, 2019 MBA Board Meeting Minutes

Beautification Committee: Tris Kruger

No report until landscaping contract completed.

New Business

1 Dune: Tim and Janie Switzer discussed the bill they received for \$1150 to replace the landscaping they removed from MB property at the south end of Dune Road. They are planning to tear down the existing home and build a new one next fall and asked that we delay replacing the landscaping until their construction is complete. They asked for an itemized bill to authenticate the \$1150 charge. Jeff stated that he will provide an itemized bill. The Beautification Committee and the Board have not determined what will replace the landscaping that was removed. Switzer's noted that there are some dead trees remaining in the space.

MBA received an Engagement Letter from Book Associates to prepare the 2018 Federal and State corporate income tax returns. Book also prepares a yearly Compilation Audit. CAS will get cost estimates. Margie moved and Nancy seconded that we engage Book Associates to prepare a Compilation Audit for 2018. All in favor.

Rental fee: Steve stated that the Board has a fiduciary duty to discuss ways to ameliorate costs to the community and also to discuss the issue of a rental fee. This discussion will be placed on the agenda of the May 18 Board meeting. Mary Schrider-Fox will be invited to attend to discuss legal aspects in an Executive Session.

Executive Session:

The Board unanimously voted to go into Executive Session at 12:22 pm to discuss:

1. Trash removal contract
2. Landscaping and snow removal contracts

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

1. Steve Larsen will clarify the schedules and monthly rates for the Republic trash and recycle contract. Ellen will send our required changes to the contract terms to CAS for inclusion in the final contract.
2. Legal terms and pricing of the Herker landscaping contract were not acceptable. Tris will work with McCabe's on increased monitoring of scheduled maintenance.

Adjournment:

Sharon motioned to adjourn. Ellen seconded.

The meeting adjourned at 1:00 pm.

January 19, 2019 MBA Board Meeting Minutes

Next Board Meeting:

February 9, 2019 at 9:30 am at the Bethany-Fenwick Area Chamber of Commerce.

Respectfully Submitted,

Tris Kruger, Secretary