



MBA Board Meeting

Meeting Minutes

November 18, 2021

Zoom Meeting

In attendance: Board Members Present: Paul Bradley, Ron Thomas, Margie Cyr, Jerry Kafka, Tris Kruger, Amy Witcover-Sandford, Carol Paul, Nora Alter. Absent Ellen Throop.

Others attending: Hope Wagner and Mary Grimm (CAS); Mark and Terry Reilly; Kerry Hall; Marty Shecter; Peggy Taylor; Virginia Liddle; Holly Fluty Dempsey; Jane Certo; Kate Mounteer; Nancy Glasgow; Neil and Abby Imus; Neri Cohen; Susan Hillebrecht; Val Peizer.

Call to order at 6:30 PM by President, Paul Bradley.

Margie moved and Amy seconded that no electronic or any type of recording (video, audio, etc.) of the Board meeting in any fashion is allowed except via Zoom initiated by the MBA Board. Motion passes unanimously.

Review Board Meeting Minutes: Saturday, October 16, 2021: The Minutes were corrected to note that Tris Kruger was absent from the meeting. Ron moved and Amy seconded approval of the Minutes with the corrected list of Board members in attendance. Carol and Tris abstained. The motion passes.

Property Manager's Report: Hope Wagner, CAS

There are many bags of yard waste waiting for a pickup. An additional pickup by Republic would cost \$241. Hope recommends this additional pickup. The required public notice of MBA's status as a private community and beach was published in the *Coastal Point* on October 25, 2021 and will be republished in the Spring. There are three to five anticipated staffing vacancies for the Community Patrol next season.

Paul moved and Ron seconded to schedule one additional yard waste pick up at the cost of \$241. The motion passed unanimously. The pickup will be scheduled for December 1, 2021. Notice will go out to the community.

Treasurer's Report: Jerry Kafka

Jerry noted that the figures in the bond account do not match the figures in the spreadsheet provided by CAS. There are questions about the date of the spreadsheet, why it is not current and does not reflect deposits since that date. Jerry and Margie will review. Otherwise, the reports are not remarkable.

Committee Reports:

The following written reports were submitted:

- **Beautification:** Holly Fluty Dempsey asked Board members to review the draft Beautification survey before it is sent out to the community. Please submit comments to her.
- **Commercial:** Bill Gay is planning to tour the Commercial area of the community and review its history.
- **Social:** Amy reported that responses are being received from the Social Committee's survey which has already gone out.

Unfinished Business:

- *Terms and Conditions of Website Use:* Paul drafted a revised policy which was reviewed by the Board. Jerry moved and Ron seconded approval of the *Terms and Conditions of Website Use*. The motion passes unanimously. Paul will have it posted on the MBA website.
- *Code of Conduct for Middlesex Beach Association Board Members:* Paul revised the *Conflict of Interest* (Board approved prior) and *Code of Conduct* (drafted) into a single document. There was discussion and two modifications made. Margie moves and Amy seconds approval of the *Code of Conduct* as modified. Motion passes unanimously. There was discussion about requiring Board member's signature on the document. It was agreed that the signature affirmed receipt and knowledge of the document. One Board member mentioned situations could arise when a Board member may strongly disagree on a Board issue. Amy moved and Ron seconded to add a signature line to the document. Nora abstains. Motion passes.
- Penalties for rule violations / Fining resolution: this is deferred.
- Draft 2021 Reserve Study: Jerry provided an overview. There are critical assumptions: The Study is a recommendation. Mr. Wheatley said we are underfunded, and his recommended contributions should be followed the next five years. There should be no withdrawals from reserves until 2026. All expenses should come out of operating funds. Excluded from the Study are Beach and Legal Reserves. Potential relocation of the Guard House, culvert replacements and ditch modifications are not included in the Study. What has previously been set aside for reserves needs to be doubled.

New Business:

- Tris moves and Ron seconds return of deposits:
 - \$1,760 to 111 Evergreen
 - \$1,000 to 26 Short (demolition)
 - \$1,000 to 5 Short (demolition)
 - \$1,000 to 5 Addy (demolition)
 - \$1,000 to 4 Errett (demolition)

Motions pass unanimously.

- **Trash Inventory:** There was discussion of the Inventory and how to move forward with the details it contains. The Board asked Margie to put together an Ad Hoc Committee composed of the Committee Chairs to review the existing trash rules and create priorities. These will be reported back to the Board for further discussion.
- **Beach Wheelchairs:** The Uhas family wishes to donate a beach wheelchair to MBA. There is a potential for a second donation. A usage waiver must be signed, and any wheelchair will need to be stored in a garage. Ron moves to approve the concept of offering a beach wheelchair with required usage waiver. There was discussion about exiting the beach in an emergency; waivers may not cover liability and risk. Is the Board willing to assume a risk? Would an insurance policy for the risk be needed? Can the cost details be put together? Ron agrees to amend his motion to reflect that information will be gathered and brought back to the Board.
- **Board and Community Rule making authority:** The Board created an Ad Hoc Rules Committee to review all rules. Ron will chair this committee. Jerry moved and Nora seconded that the Board conduct a review of all outstanding rules of the Middlesex Beach Association for purposes of amending, removing, supplementing and/or reissuing such rules with full notice to, and participation by, the Middlesex Beach members in compliance with Section 81-320 of the Delaware Uniform Common Interest Ownership Act and that this action be completed promptly within the next 90 days. Motion passes unanimously.
- **2022 Board meeting dates:** The Board discussed the pros and cons of having Board meetings consistently on Saturday mornings or having Board meeting alternating on Thursday evenings and Saturday mornings. Paul moves and Nora seconds that Board meetings be held monthly alternating Thursday evenings at 6:00 PM and Saturday mornings at 8:30 AM. Voting in favor were Ron, Jerry, Carol, Nora, Paul, Amy. Opposed were Margie and Tris. Motion passes.

Community comments: Virginia Liddle thanks the Board and the Committees. Susan Hillebrecht thanks the Board and Committees. She asked if there was grant money available for mobi mats; and suggested that sections of mobi mats could be sponsored.

Adjourn to Executive Session for discussion of: Amy moved and Carol seconded to adjourn to Executive Session for the discussion of Executive Session Minutes October 16, 2021; Personnel; Contracts; Violations. Motion passes unanimously.

Reopened Meeting: The Board reopened the Meeting at 10:00 PM.

Adjourn: Nora moves and Amy seconds adjournment of Board meeting. Motion passes unanimously.

Future Meetings: **MBA Board:** Saturday, December 18, 2021 at 8:30 AM
 Community: Saturday, May 7, 2022