



## **Town Hall Minutes**

**March 16, 2023**

**6:30 PM**

Zoom Meeting President Paul Bradley called the meeting to order at 6:30 PM

**Board Members in Attendance:** Paul Bradley, Margie Cyr, Kerry Hall, Jerry Kafka, Holly Fluty Dempsey, Ron Thomas, Don Deraska, Bob Wood, Hope Wagner (CAS), Cathy McCallister (Solutions)

**Board Members not in Attendance:** Nora Alter

**Community Members:** Jeff Sella, George Rayburn, Peggy Taylor, Joe Woolman, Marty Shecter, Dave Wiecking, Dan Nichols, Tom Glasgow, Mary Vollmer, Paul Mintz, David Byrne, Carrie Maslen, Ed Szkudlanski, Corey Clarke, Neil Kahn, Daniel Debold, Sally Murphy, Jonathon Wilkerson, Janet LaFleur, Greg Pichler, Virginia Liddle, Howard Gruenspecht, Kate Munteer, James Youniss, Terri Reilly, Jerome Raphael, Dave Taylor, Neil Imus, Jeff Rivest, David Ducey, Linda Uhas, Ellen Throop, Ginny Finley, Chris Powers, Andrea O'Neill, Kent Rayburn, Gerhard Thelan, Janet Lewis, Jim Dempsey, Susan Hillebrecht, Susie Friedel

Paul moved and Ron seconded that recording of any type of the meeting except for the Board initiated Zoom recording is not allowed. All were in favor.

### **Budget Overview:**

Paul discussed the purpose of the Town Hall and that he, as well as the Board, have read all emails and campaign communications regarding the proposed budget/assessment and are fully aware of the varying opinions on the need to continue the drainage project on a third road. He also voiced his disappointment in some messages that were written in a rude tone and specifically some inappropriate phone calls made by members of the community to the contractor directly requesting a meeting. He emphasized that we are working to better the community as a whole and while some matters may not be a priority for some community members, the Board is tasked with keeping what's best for the community ahead of any personal opinions.

Paul then introduced Jerry at which time he provided a recap of the process that he and the team used to create the proposed budget for 2023. This recap primarily referenced the materials that were distributed to community prior to the meeting where he highlighted the key areas of change versus prior years and provided context on why those increases were

taking place.

Upon conclusion of Jerry's presentation, Paul thanked him as well as Steve Larson and Marty Shecter for all their efforts. At this time the meeting moved to an open forum format.

### **Community Comments:**

Non-Drainage discussion:

- Joe Woolman thanked Jerry and the team for their work. With respect to the Beach Replenishment Fund, Joe suggested leveraging any work for MXB to take place at the same time of Bethany and South Bethany to mitigate costs to restore our dunes and beach should a storm create such an event. Jerry responded that the purpose of the contribution to the Beach Replenishment Fund was entirely financially driven at this time to obtain the targeted minimum of \$1 million. At this time, we are not looking to execute any efforts on beach or dune replenishment.
- Howard Gruenspecht asked what the process would be should the proposed assessment not be approved by the community. Jerry responded that should this occur, we would revert to the last approved budget and use that assessment as the basis for funding the expenditures for 2023. Howard provided a recommendation to look at the timing of the Town Hall in the future so that community feedback could be heard earlier in the budget process. Additionally, he asked about moving the date of the community vote so that it would better align with the fiscal year. Jerry agreed that would help yet stated any change to the date of the community vote would require a change in the covenants. Howard finished with a question about any operating surplus from the current year and how those funds could be used for 2023 key expenditures. Jerry stated that given tax laws and the inability to carryover those dollars to future budget years, any surplus would be transferred into the reserves.
- Jeff Sella thanked the Board and appreciated all the efforts taking place, especially the maintenance efforts (e.g., road sealing) that have continued since he was on the Board. He, like Howard, asked about the process should the assessment not be approved and stated that his interpretation was different from what was stated. Jeff believes that a new budget would need to be brought forward for the community to vote. Paul appreciated his interpretation but agreed with the process outlined by Jerry that uses the most current approved budget.
- Daniel DeBold asked if we could create two budgets and have the community vote which budget they approve. Jerry responded that per Delaware law, that is not an appropriate method to vote on the budget.

#### Drainage discussion:

- Paul stated that drainage has been a long-standing issue for the community and many Boards. The prior Board made addressing drainage as a community issue a priority and said that our efforts have actually forced DeIDOT's hands a bit as we are now seeing progress along Kent Avenue and the clearing of those ditches. MXB is using an expert contractor, LH Excavating (LH), one that is used by many communities in the area, and believes that we are on the right path toward a better drainage system.
- Jeff Sella spoke several times and questioned the information being given by LH as he was told the opposite from this same contractor when he was dealing with this issue. Further, he stated that the efforts started on Bridge Road were communicated as a test and that any future efforts would be contingent on the success seen. Continuing to expend community money on this without any concrete evidence of is not a good use of community funds. Paul would not comment on what LH told Jeff because he too has spoken with LH directly and been told that these efforts are necessary.
- Dave Byrne appreciated the efforts that have taken place thus far and appreciates the efforts that have taken place.
- George Rayburn thanked the Board and proposed that given this inflationary period and the unknown costs associated with the build of the new Guard Shack, 2023 should be a year of evaluating the drainage on Bridge and Bayberry while Kent Avenue is continued to worked on by DeIDOT. Efforts on future roads in MXB could take place the following year.
- Dave Taylor has observed drainage issues for 20 years. His position is to defer additional ditch work in MXB until the known issues along Kent Ave have been addressed. Paul's reaction to this was that this is the same approach that has been taken for 30 years which has resulted in little improvement and we can't continue to defer these efforts.
- Jim Dempsey was pleased with the decision to work on ditches however what he sees as the result efforts to date is simply deeper, wider ditches with water sitting or pooling at the west end of the streets. He does not see that water residing in ditches as a success measure and proposed that the portion of the annual assessment allocated to fund drainage be put into reserves for work to take place after we see if the efforts on Kent Avenue actually aid in our solution. He does not oppose the cost of the project, hence placing the funds into the reserves, his concern is the timing of the project and dependency on the success of Kent Avenue. He also stated that this type of expenditure should be reserve related and not paid for annually as an operating expense.

- Ginny Finley agreed with Dave and Jim and shared her concern that we could find ourselves in a situation where we expend over \$250K without any meaningful improvement.
- Chris Powers agreed with Ginny and stated that she was told by staff members of LH that until efforts on Kent are addressed, MXB won't see any improvements in water sitting in ditches. She also asked about the maintenance efforts that will be required when ditches are completed. Ron responded that we will need to clear ditches on an annual basis and that the pipes at the west end of the community going out to Kent will need to be blown out routinely to maintain a clear drainage system.
- Joe Woolman addressed the Board several times and expressed his understanding of Bridge Road as a test and that this type of project needs to have clear criteria to measure success. Ron responded that the measures of success have been communicated and those measures include water residing in the ditches instead of on or under individual homesites.

At this time Paul asked if any other community members had questions and having heard none, moved that the meeting be concluded with unanimous approval of the Board.