



MBA Board Meeting

April 29, 2023

Minutes

Present: Paul Bradley, Margie Cyr, Don Deraska, Kerry Hall, Holly Fluty Dempsey, Ron Thomas, Jerry Kafka, Nora Alter, Cathy McCallister (Solutions Property Management), Donna Hugues (Solutions Property Management)

Community Members Present: Susan Hillebrecht, Mary Vollmer, Neil and Abby Imus, Nancy Glasgow, Joe Woolman, Peggy Taylor, Jerry Raphael, Marty Shecter, Mark Reilly, Lynne Ball, Jeff Sella, Kate Munteer, Larry Binkley, Howard Gruenspecht, Dave Wiecking, George Rayburn, Rich Certo, Chris Powers and Alvin Ross, Bill and Diane Gay, Judy Bennett, Sally Murphy

Call to order, Paul Bradley, President

Paul moved and Kerry seconded that no electronic or any type of recording (video and/or audio, etc.) of the Board meeting in any fashion is allowed except via Zoom initiated by the Board. All were in favor.

Paul moved and Nora seconded approval of Special Board Meeting Minutes of Saturday, February 11, 2023. All were in favor.

Paul moved and Nora seconded approval of Town Hall Meeting Minutes of March 16, 2023. All were in favor except for Don who opposes. Motion passes.

There was discussion of the Minutes of the March 23, 2023 meeting. These were tabled until further review of the minutes.

Property Manager's Report: Paul introduced Cathy McCallister from Solutions Property Management. The thumb drive containing information and documents from CAS was just received last week. The bank accounts were just set up last week; and the office has been involved in preparing for next week's community meeting. Cathy and Donna will be co-managing MBA. She has met with Kerry (CP), Margie, Paul, and Jerry. She has a meeting scheduled with Mark (BP). Jerry noted that he had emailed his proxy ballot and asked if there is a process for confirmation of receipt. Cathy stated that receipt is acknowledged.

President's Report: The Guard Shack construction has begun. It will be small, but it meets all the State and County requirements. Contractors are working with the electrician and the plumber. It is hoped that it will be completed by Memorial Day.

Treasurer's Report: Jerry Kafka reported that the fiscal year ended with a small surplus. This will not be confirmed until Book & Associates does the annual compilation.

Committee Reports:

- **Beach Patrol:** Mark McCulloh: The lifeguards are all ready. Two lifeguards have been lost to other communities. The hourly rates for the State, Bethany, and Sea Colony beaches are up to \$18.00 per hour. MBA is \$17 per hour. We need to keep an eye on this.

- Community Facilities: Ron Thomas: The Spring Volunteer Clean Up Event will be held on Saturday, May 13 with a rain date of the weekend of May 20. The Bulk Yard Waste Pickup and Bulk Household Waste pick have been scheduled for early May.
- Community Patrol: Kerry Hall
- Social: Kate Mounteer: The MBA Cabaret Night at Dickens Parlour Theater is May 6. Kate thanks the members of the Social Committee for their work on this.

Unfinished Business

- Trash enclosure update: There are 21 noncompliant trash/recycling enclosures. Of these, four are being worked on; and seventeen property owners have not responded. Ron stated that the violation process should begin. Paul has drafted a violation letter. Jerry and Margie agreed that the violation process needs to be started. Margie moves and Nora seconds to begin the violation process for non-compliant trash/recycling enclosures. All were in favor.
- Drainage project updates: Ron encourages everyone to read the memos which are available on the MBA website. Everyone has a right to his/her own opinion, but Ron hopes that when voting, the vote is done so in an informed manner. Paul restated that the Board has an obligation to do its due diligence and make decisions in the best interest of the community as a whole. Engineering firms are being contacted without success yet. The Board will review all the facts and evidence before making decisions. DNREC has contracted with a third party vendor to do a survey of Kent Avenue so they can make determinations of how to proceed. DelDOT will be cleaning the ditches on Kent Ave and possibly lengthening the ditch southward on the east side of Kent. The Board is listening to the community.
 - Nora stated that since some streets have had the drainage improvements completed, what are legal implications to the Board if the project is abandoned and flooding occurs on streets that have not yet been done.
 - Don has never heard an objection to doing the drainage project. He has always heard a recommendation to take a pause on it. He is not worried about any legal implications. He believes an engineering survey is a must so that there is a baseline for what is best.
 - Margie stated that the water when it comes needs to go somewhere. MBA does not have water retention ponds. It has ditches which collect that water so that it does not sit on private properties.
 - Paul thanked Ron for all his work despite the opposition he has received. He also thanked Margie for her work.
- Survey: Don suggested a community survey so the Board could have an idea of what extent there is in opposition to the budget. The majority of the Board members are not supportive of doing such a survey at this point.

New Business

- Margie moved and Paul seconded the return of Construction Bond in the amount of \$1,500 for 6 Bayberry. All were in favor.
- Margie moved and Paul seconded the return of Construction Bond in the amount of \$27,435 for 33 Errett. All were in favor.

Attendee Comments

- Howard Gruenspecht thanked the Board for their work on the Kent ditches. He asked if water from west side of Kent Ave could flow over Kent Ave and come onto his property. He is concerned because Kent Ave is higher than the low point on his property. He met with Ron and the contractor about this, and it was agreed that water would not flow over Kent. The ditch system on Kent is designed so that water on the east side of Kent flows north through Sea Colony. He has concerns about the information he has received. There is a lot of water from major storms and wants written clarification from DNREC and DelDOT. He wants an engineering study done. Community members should be involved in crafting the RFP.
- Kate Mounteer questioned the budget surplus. Could it be returned to the property owners. Jerry responded that it appears there may be about \$25,000 in surplus, but this will not be confirmed until the annual compilation has been done.
- Susan Hillebrecht asked if property owners with non-compliant trash/recycling enclosures have been notified of this. Margie stated that they had been.
- Dave Wiecking suggested that the ditch on Kent Ave could possibly be extended by the power station on the east side of Kent.

Paul moved and Don seconded to adjourn to Executive Session for discussion of:

- Executive Session Minutes: March 23, 2023, March 29, 2023, March 31, 2023; Personnel; and Contracts

Reopen Meeting

Adjourn: Paul moves and Jerry seconds to adjourn the meeting. All were in favor.

Future Meetings: **MBA Board:** Community Meeting: Saturday, May 6, 2023, 9:30 AM
Thursday, May 18, 2023, 6:30 PM
Saturday, June 17, 2023, 8:30 AM
Thursday, July 20, 2023, 6:30 PM
Saturday, August 19, 2023, 8:30 AM
Community Meeting: Saturday, September 2, 2023, 9:30 AM
Thursday, September 21, 2023, 6:30 PM