



BOARD MEETING MINUTES

February 15, 2025

Nally Homes, 33222 Coastal Hwy
and Via Zoom

President Dave Wiecking called the meeting to order at 9:30 a.m.

Board Members Present: Dave Wiecking, Margie Cyr, Bob Wood, Kate Munteer, Paul Bradley, Barbara Friedman, Kerry Hall, George Rayburn. Also present: Cathy McCallister and Donna Hugues, Solutions Property Management (SPM). Not Present: Alan Lescht

Motion re: Recording Meeting: George Rayburn moved, Margie Cyr seconded that recording of any type of the meeting except for the Zoom recording initiated by the Board or its property manager is not allowed. All were in favor.

Meeting Minutes: Margie Cyr moved, George Rayburn seconded approval of the January 18, 2025 Board Meeting minutes. All were in favor except Bob Wood who abstained.

Community Comments: After presentations by Bob Wood, Budget and Finance Committee Chair, and Margie Cyr, Building Committee Chair, comments were welcomed from Community Members.

- **FY25-26 Budget Presentation:** Bob Wood explained that we are trying to keep our operating budget flat, while the small, proposed increase in our assessment (3.9%) would go entirely into increasing our reserve funds. The proposed assessment is \$3,325, of which \$2,250 would go for operations, \$425 to our Capital Reserves and \$650 to Beach Reserves. The amount of \$650 proposed for Beach Reserves is an increase from \$400 last year. This would raise an additional \$168,000 to be put into beach reserves, as we aim to reach \$2 million. We are well-positioned to meet any capital project needs in the coming year.

Comments: A Board member pointed out that the proposed assessment increase is \$125 per residential property. This is the same size increase as last year, and is intended to build reserves and support the community long term.

A community member asked if we have explored additional sources of income other than just the assessment. Some ideas that had been proposed in the past would require 60% of the community to change to our Restrictive Covenants, such as a real estate transfer fee or rental impact fee. Cathy McCallister noted that a proposed rental fee in another community she manages found no support in that community.

Next Steps: The Board will vote on the proposed budget and resulting assessment at its March 15 meeting. The community will vote on the Assessment at its May 3 meeting.

- **Building Rules Presentation:** Margie Cyr pointed out that the rules are printed by May 1 so they can be included in the updated directory, but that they don't take effect until after Labor Day. Some amendments have been proposed.
 - No Work Holidays: Margie noted that the Building Committee has worked very hard to maintain the balance between the needs of the community and contractors, and the need to protect community members from disturbances. The Building Committee recommends allowing work on the Saturdays of MLK, Jr. and President's Day weekends (currently prohibited), but keeping the Mondays as "no work holidays." The Board recommended allowing work on Veteran's Day and Juneteenth at its January meeting, but the Building Committee strongly opposes these changes.
 - Building Permits: The Building Committee recommends limiting the validity of a building permit to 15 months so as to encourage project completion. If projects are not completed a new permit for 6 months would be required and an additional fee of \$250. The Board voted against adding a new fee at its January meeting.
 - Contractor Signs: The recommendation is that MBA will have the authority to remove contractor signs (that have not already been removed) when a project is completed, in conjunction with return of building deposits.
 - Work Hours: The recommendation is for work hours to be amended to allow worker arrival and delivery of building materials starting at 7:45 a.m.

Comments:

- Several community members spoke in favor of abiding by the Committee's recommendations about "no work holidays." One person asked if we could survey the community. Board member, Paul Bradley, also spoke in favor of the Committee's recommendations.
- A question was raised about whether we have authority to remove a sign that's on private property. Removal of the sign is already required prior to return of the building deposit.
- A question was raised and concern expressed that the removal of the recommended \$250 permit fee for permit renewal would eliminate any incentive on the part of property owner and contractor to comply and this becomes just a paper exercise wasting time. Margie shares this concern. Bob Wood proposes to reinstate the \$250 permit fee for a six-month permit renewal or remove this item from the Rules.

Next Steps: The Board will vote on the revised Building rules at its March 15 meeting.

- **Bylaws Amendments:** Paul Bradley noted that he made some revisions, including that for the community (rather than the Board) to recommend a Bylaws amendment, they would need a minimum of 50 voting members to sign a petition. Dave Wiecking asked if there were any comments on the proposed Bylaws amendments. There were none.
- **Sports Court Survey:** The survey has been finalized and is awaiting distribution.

Property Manager's Report: Cathy McCallister reported.

Insurance: SPM has reached out to Mark Boole with Pratt Insurance, our current broker, who said he would bid it out to Philadelphia Insurance. We have four policies: Liability, Directors & Officers, Workers Comp and Umbrella. SPM has also reached out to State Farm, the Insurance Market and L&W Insurance. State Farm cannot insure us due to our proximity to the beach. Mr. Boole came back with initial numbers based on our current policies, and thinks we could see as much as a 17% increase this year. He continues to mention the high amount of our D&O coverage, which at \$5 million is costing almost \$4,500, and he thinks we could halve this. Our Umbrella policy, at \$5 million, is also more than most organizations like ours would have. Cathy reports that most HOAs would carry about \$1 million in Umbrella insurance. Cathy expects to have three quotes by early March. Providers will not put out proposals too early due to changing conditions. Our insurance expires at the end of March.

President's Report: Dave Wiecking

Delmarva Tree Pruning - People will notice the extreme pruning that Delmarva Power did throughout the community, but especially along the transmission lines from the power substation.

Pruning Other Trees – A community member requested that we look at branches that are touching power and communication lines that cross the streets, but that were not pruned by Delmarva Power.

Treasurer's Report: Bob Wood referred us to his written report that is posted on the website for the period ended January 31, 2025.

Transfer of Funds - Bob will reimburse the operating account with funds from reserves for the capital projects that have been completed and paid for, namely the new fencing and landscaping.

Committee Reports:

Community Facilities: (Don Deraska, not present)

Gate Installation - A question was raised about whether we want to ask SPM to find someone to install the seven new gates and locks that are planned for Middlesex fencing. Dave Wiecking said he needs to build the prototype to be sure it will work properly before possibly outsourcing the work.

Speed Bumps - A question was asked about the speed bump mapping that was done, and whether community members will be advised before any changes are made. Dave said yes, and that he will post the speed bump map on the website, but that any changes would likely be done in conjunction with any paving or possibly sealing work.

Bayberry Dune Crossing -Marty Shecter reminded the Board that the Bayberry dune crossing needs to be straightened at the beach end prior to the installation of new Mobi-mats. Marty will check on costs for three 50-yard sections of Mobi-mat.

Landscaping: Barbara Friedman

Mowing and Maintenance Contract - The mowing and maintenance contract with Chester River Landscaping (CRL) is nearly finalized.

Phragmites - CRL is unable to treat and remove invasive phragmites in ditches due to DNREC regulations. SPM had recommendations from stormwater runoff companies they work with elsewhere.

Tree Care - Jeremy Hager of Coastal Plant Care has looked at the trees pruned by Delmarva Power, and will take care of trimming them properly in the near future. We also should ask him to look at trees that are touching power and communication lines on the pineside.

Non-Use of Glyphosate (RoundUp) - CRL will do an initial treatment of weeds with a soap and vinegar mixture, rather than glyphosate. We will ask our watering team, Christina and Joanne, to follow up through the summer.

Pollinator Gardens - The pollinator gardens look the way they do because bees and other valued insects are hibernating there. They deliberately are not pruned back in the fall for this reason.

Commercial: Marty Shecter will speak with the manager of Dollar General about its trash enclosure gate being broken. It was reported that trash seems to be being blown over the fence onto Beach Plum.

Building: Margie Cyr reported that there are two projects awaiting approval. A question was raised about the need to update building regs every year. Margie said they are only updated when needed, but not every year.

Community Patrol (CP) / Security: Kerry Hall reports that staffing is in good shape, with only a couple of shifts still open. Dave Wiecking noted that Alan Lescht would like to meet with all employees to review the anti-harassment policy. Discussion took place about when this could best be accomplished, and if it was necessary. A suggestion was made to leave this up to the Beach and Community Patrol committee chairs. A comment was made that the offer letter as revised is a bit unwieldy, and perhaps could be broken into two parts. No final decisions were made.

Beach Patrol: (Mark McCulloh) Bob Wood reported that only two guards are not coming back, and that Beach Patrol Supervisor, Holden Wingate is recruiting new guards, and not anticipating any problem.

Sand: (Steve Larsen) Margie Cyr reported that the Sand Committee met and new member Alan Lescht was brought up to date on past efforts. Steve Larsen is seeking to re-engage with engineering firm Gahagan & Bryant Associates, Inc. (GBA), and is gathering questions from committee members on GBA's earlier proposal to help us get permits necessary for beach replenishment. Sea Colony is waiting for one part of its permit, the "sub-aqueous lease permit." Some discussion followed about the cost of trucking in sand versus getting permits to pump sand onto the beach. (Melvin Joseph and Pennsy Supply were two sand providers mentioned by Paul Bradley as having been investigated in the past.)

UNFINISHED BUSINESS

Beachside Parking: The number of parking passes will remain the same: two hangtags and one sticker per property. A friendly reminder suggesting the best way to save space will be put in golf carts that may be taking up more parking space than necessary.

Etiquette for Beach and Community: Dave, Margie and Val are working on an etiquette summary to be shared with the community. Please share ideas with Margie. Some info can be put on beach passes, but there is limited space, so we might also post at dune crossings, or share suggestions in other ways.

NEW BUSINESS

Go Melvo Sno-Ball Contract – After considerable discussion, a motion was made by Bob Wood and seconded by Paul Bradley to keep the contract fee we charge to Go Melvo (Jeff McMahon) the same as it has been in the past. Wiecking, Cyr, Wood, Munteer, Bradley, Hall, and Friedman voted in favor; Rayburn was opposed. George feels that money collected from Go Melvo should go to fund lifeguard competitions, or some similar purpose rather than just going into our general fund. Marty Shecter agreed to coordinate individual donations to fund free sno-balls on the 4th of July. This should be publicized so folks at both the north and south ends of the beach know about this.

Board moved into Executive Session at 11:12 a.m.

Board Reconvened at 11:29 a.m.

Bylaws Vote: Dave Wiecking asked if we are ready to approve the Bylaws as amended. The consensus was that Paul Bradley will share a clean version, and we will vote at our March 15 meeting.

Adjournment: George Rayburn moved, Bob Wood seconded, all voted in favor of adjourning the meeting at 11:33 a.m.

Kate Munteer, Board Secretary

Approved March 15, 2025

Executive Session topics discussed:

- Landscaping Contract
- Property Manager Contract
- Insurance Contracts
- Unemployment Insurance

Upcoming Meetings:

Board: 3/15/25, 4/19/25, 5/17/25, 6/21/25, 7/19/25, 8/16/25

Community: 5/3/25, 8/30/25

Reports, February 15, 2025

Building Committee, Margie Cyr

The proposed revisions to the Rules & Regulations for Construction and Other Work have been further amended incorporating the Board's decision to eliminate Veteran's Day and Juneteenth from the list of no-work holidays; and removing the recommended \$250 permit fee for renewal of Large Project permits. The proposed Rules & Regulations have been posted on the MBA website allowing for community comments at the February Board meeting.

The \$1,000 demolition deposit for 25 Errett has been returned.

There are currently 22 Small Projects and 13 Large Projects active in the community.

External Drainage, Margie Cyr

Paul, Dave, and Margie convened a group Drainage meeting. The group consists of MBA, South Bethany, Sea Colony, and Bayside Tennis Club. In the year since the group last convened, there has been some action. Sea Colony manually cleaned out the drainage ditches through the marsh emptying into Assawoman Bay. Doing this work manually eliminated the need for wetlands permitting which had been such a challenge and barrier. The hope is that clearing these ditches of debris and buildup will allow for better outflow of water into the Bay. Leadership in Bayside Tennis has changed and there is interest in improving the situation with the ditches around the tennis courts, but nothing has been done yet. DNREC has identified the outflow from this ditch, but it has not been cleared as it is on private property. The owner of MBA's 3 Short Rd has repaired the broken underground drainage pipe in the backyard. This pipe connects the drainage ditch that runs behind other Short Rd properties to the ditch that runs between 1 and 3 Short out to MBA's ditches along Short and then out to Kent Ave. Repair of this pipe should improve the drainage behind Short Rd properties.

We reviewed the most recent plans from DNREC for drainage improvements. These plans are semi-final pending resolution to the issue of utility wiring and cabling that runs through the area of one of the culverts under Kent Ave.

The group agreed to continue working together; and asked to schedule a meeting with DNREC's Tyler Brown to further discuss the plans and the schedule for the improvement work.

Sand Committee, Margie Cyr

Steve Larsen, Dave, Paul, Alan, and Margie met on February 3, 2025. Steve provided an overview for Alan of the history with the first permitting process with GBA in 2020/2021. At MBA's request, a revised proposal was received from GBA on March 6, 2024. At that time, Sea Colony was in the process of renewing its permit and had been advised it would be approved. It appears that Sea Colony has most if not all DNREC and Army Corps permits in place, but this needs to be verified.

There was discussion about any potential threat to our private beach should MBA engage in beach replenishment involving “public” sand. An entity such as GBA (and they have the most familiarity with our coastline) is needed to shepherd any MBA replenishment application through the many divisions and agencies that need to approve the permit.

Steve will reach back to GBA to tell them we are interested now in re-engaging with them. He will ask GBA to share the status of Sea Colony’s permitting process. And Steve will compile all the questions we have asked about their 2024 proposal and any value possible from the earlier work they did for MBA in 2020/2021 which ended unsuccessfully. Once Steve has received all the questions and compiled them, he will send to GBA and set up a meeting with them.

Printing, Margie Cyr

For many years, MBA has used Coastal Print, a locally-owned printing company located in Ocean View for its primary printing vendor. In 2022, the owner of this company retired and turned the business over to his daughter. In late 2024, we received word that the company was sold to Allegra Printing located in Baltimore. It seemed to be the right time to revisit printing vendors. The priorities in evaluating potential vendors were: quality and consistency of product; accurate and timely response to proposal request; locally-owned to support our local small businesses, and to create a two-way working relationship in the event last-minute printing needs or problems with an order arose; and price. Val created a list of printing needs for MBA; and she and I, working with Solutions, developed a list of five printers to send the “printing needs list” to for proposals. These were: UPS (locally owned franchise and frequent provider of last-minute printing needs for MBA), Ocean Print (Selbyville), Coast2Coast (Lewes), Allegra (Baltimore). Staples (local store in Rehoboth, printing department in Florida).

After receiving and evaluating the proposals received from all of the printers, MBA will be using UPS for regular printing needs (such as flyers, directory etc) and Staples for the specialty printing needs (such as Beach & Parking passes).

Using these two vendors, the estimated cost per property for informational flyers is \$6.04; for the Directory is \$7.44; and for the passes is \$6.28. This printing costs each property an estimated total of \$19.76.

Community Facilities, Don Deraska

New (replacement) fencing along Route 1 and at the west ends of Errett and Short Roads has been completed.