

DELWARE MANUFACTURED HOUSING RELOCATION AUTHORITY

Tatnall Building
Dover, Delaware

Minutes of November 8, 2006 Meeting

IN ATTENDANCE:

Authority: Stevan D. Class (Chairman)
 Terri Rock
 Raymond Paylor (via telephone)
 Ken Fuchs
 Jerome Heisler

Attendees: Lori Rigby-FSMHA
 Scott Sipple, CPA

Legal Counsel: William Denman

I. CALL TO ORDER:

Chairman Class called the meeting to order at 1:13 P.M.

II. REVIEW AND APPROVAL OF MINUTES OF LAST MEETING:

Chairman Class presented the minutes of the October 25, 2006 meeting for comments and corrections. Mr. Class stated he would like a motion to accept the minutes. Ms. Rock made a motion to accept the minutes. Mr. Fuchs seconded the motion.

After unanimous approval was given from the members present by voice vote, the motion was carried.

III. OLD BUSINESS:

A. SET PUBLIC HEARING DATE FOR PROPOSED REGULATIONS

Mr. Denman stated that the Board needs to set the date for the public hearing on the proposed changes to the regulations. Notice of the proposed changes will be published in the Delaware Register on December 1, 2006. Notice will also be published in the newspaper.

Mr. Denman suggested the hearing date take place sometime in January. If the goal is to have the regulations take effect on April 1, 2007, a hearing in January would give the Board plenty of time to implement the final regulations assuming there are no changes to the regulations as a result of the public hearing.

Mr. Class stated the notice should be published as soon as possible and the hearing date should be held during the week in the evening hours. Mr. Heisler stated there also should be a back up date in case of snow.

Discussion followed on dates and location.

Mr. Class requested Ms. Sisco to find out if the Richardson Robbins Building on Kings Highway would be available during the week of January 22-25, 2007 between the hours of 3:00-8:00 pm with an alternate inclement weather date during the week of January 29 to February 2, 2007.

Ms. Rock made the motion to give Ms. Sisco the authority to make arrangements for the date and time of the public hearing which falls within the range previously recommended. Mr. Fuchs seconded the motion. The motion was carried unanimously by all board members present.

Ms. Rock made the motion that Mr. William Denman, the Authority's attorney, be designated as the hearing officer for the public hearing to be held in January. The motion was seconded by Mr. Fuchs. The motion carried unanimously by all board members present.

IV. NEW BUSINESS:

A. APPLICATIONS FOR BENEFITS

Mr. Denman reviewed the application has been submitted by Robert and Mary Ann Parnell for relocation benefits for a single wide manufactured home that was moved from the Oak Grove Trailer Park to a private lot owned by the Applicants. The cost of the move, as shown on the invoice provided by the Applicants, is \$2,500.

Mr. Class stated he had a concern about the May 26, 2005 date of the invoice. Mr. Denman stated that the Oak Grove closing notices went out over a year ago and many of them were sent out over time. However, there are not enough members present to vote on it today.

Mr. Class stated since no motion was made to approve this application, it will be tabled until the next meeting. Mr. Denman stated additional information will be obtained on this application. He requested Ms. Sisco to check with the mover to confirm the date and to also obtain a copy of the paid tax bill.

The Board then reviewed the applications relating to Holy Lake submitted by the landlord, Mr. Charles Turner. At the last meeting there were 7 members present. Six members voted in favor of the applications and one member against. Those 10 applications were not approved. Mr. Denman reported that since the last meeting, the Authority has received 21 additional applications. Accordingly, there are now 31 applications being submitted for reimbursement for removal and disposal charges for these homes.

The cost of removing and disposing of the 21 additional homes is \$2,500 each. The total for the 21 new applications would be \$52,500. The first 10 applications were for a total of \$18,500. The total amount requested for the 31 homes that have been removed is \$71,000.

Mr. Heisler stated that at the last meeting there was concern expressed by some Board members of the need for more discussion on the amount to be paid to owners for demolition and removal of these units. As the law is written now, we need to follow the written law on the present reimbursement rate.

Mr. Heisler made a motion to reimburse Charles Turner \$1,850 each for the first 10 homes he submitted for a total of \$18,500 and \$2,500 each for the 21 homes he just submitted, for a total of \$71,000 reimbursement.

Mr. Fuchs stated he was not in agreement with this process and the amounts being reimbursed.

Mr. Denman explained, from a legal point of view, the statute basically gives the landlord the right to be reimbursed for the reasonable cost of relocating an abandoned home left on his property. When the Authority adopted its first set of regulations, the Authority set a cap of \$4,000 on a single wide and \$8,000 on a double wide. The regulations were submitted for public comment, a hearing was held and the regulations were adopted by the Board as the final regulation. The Legislature made the decision to give both tenants and landlords the right to file for reimbursement. The Board's focus should be whether or not the amounts requested by the owner proposed represent a reasonable cost for removing the homes.

Chairman Class recognized Mr. Turner, owner of Holly Lake Park, who was present at the meeting. Mr. Turner stated the hauler did remove the first set of homes for \$1,850 each but lost money and would not remove the rest of the homes at that price, but would remove the remaining homes for \$2,500 each. Mr. Turner also noted that the hauler is an Authority approved hauler. Mr. Class stated, from experience and his years in the business, this is an expensive process and the expense incurred by Mr. Turner is very reasonable.

Mr. Heisler repeated his motion to reimburse Charles Turner \$71,000 for the removal of 31 homes in Holly Lake. Mr. Fuchs seconded the motion. All members present either in person or by phone, voted in favor of the motion.

B. FINANCIAL REPORT

Mr. Sipple gave a brief overview of his Financial Report.

Mr. Heisler asked how the reimbursement issue is going to be addressed. The Board needs to have a discussion about it and get some ideas on the table. Chairman Class stated it will be put on the next agenda for discussion.

IV. ADJOURNMENT:

As there was no further business before the Board, the motion was made for adjournment by Mr. Fuchs, seconded by Mr. Heisler. After unanimous approval from the members present, the motion was carried.

The next meeting of the Board will be on Wednesday, December 13th at 1 p.m. at the Tatnall Hall Building

Respectfully submitted by:

Susan E. Sisco
Administrative Assistant
DEMHRA