

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

110 N. Main Street, Suite G
Camden, DE 19934

Minutes of April 5, 2016

IN ATTENDANCE:

Authority: Kevin Carroll
Dorothy Boucher
William Dunn
Andy Strine
George Meldrum
Joelle Polesky
Susanne Lantz (Executive Director)

Legal Counsel: Bill Denman

Other Attendees: William Kinwick, Tenant Village of Coolbranch (DMHOA)
Jennifer Allen, FSMHA
Susan Hairgrove, Property Manager K-4 Management

I. Call to Order:

Mr. Carroll called the meeting to order at 1:30 p.m.

II. Review and Approval of Minutes:

Mr. Carroll asked the Board if anyone had any comments or corrections of the February 23, 2016 meeting minutes, and if not, requested the Board to consider approval of the February 23, 2016 meeting minutes. Mr. Carroll made the motion to approve the meeting minutes and Mr. Strine seconded the motion. The Board approved the meeting minutes unanimously.

III. Executive Directors Report:

Ms. Lantz noted that since the last Board Meeting she:

- Has sent out solicitation letters to the Superior Court Mediators and existing arbitrators
- Has updated the existing arbitrator list
- Arbitrators were appointed for the Briarwood and Mobile Gardens rent dispute
- Has negotiated a reduced rate with some of the new arbitrators
- Calculated that approximately \$1.3 Mil were paid out for Glasgow Court (mostly tenant benefits) and Lakeland relocation benefits combined
- Would like to close the JP Court E-Filing account and wanted the Board's approval. Mr. Carroll noted that since then it was decided to go through Mr. Denman as the Authority now was able to

recoup attorney fees. The Board agreed that Ms. Lantz could close the E-Filing account. Mr. Carroll did not think a motion was necessary.

Mr. Dunn asked if Ms. Lantz had received a response to the email requesting the addresses of the homes burned down in Glasgow Court. Ms. Lantz shared the email response with the Board. The Board discussed the matter. Ms. Boucher thought the list was important to have. Mr. Carroll thought when applications come in for benefits from the Community Owner, the Authority could raise that question again.

IV. Chair's Report:

Mr. Carroll stated the response to the arbitrator solicitation was very positive. Mr. Carroll said that regarding Glasgow Court fire, the investigation was ongoing.

V. Approval of Financial Activity & Report February 2016

Ms. Lantz reviewed the financial statements. Mr. Strine moved to approve the financial statement as presented and Mr. Meldrum seconded the motion. The motion carried unanimously. Mr. Carroll thought the Board should consider at some point whether or not the Trust Fund assessment should be changed. Ms. Boucher stated the Authority had just changed it and was holding off due to the lawsuit. Mr. Denman stated the lawsuit had been resolved in favor of the Authority.

A. Approval of other Financial Matters:

1) Approval of Legal Counsel Invoices for February 2016:

Ms. Lantz reviewed the invoice from Mr. Denman. Mr. Meldrum made the motion to approve the invoice as presented and Mr. Dunn seconded the motion. The motion carried unanimously.

VI. Reports

A) Compliance Matters:

1. Arbitration Matters and Status:

Ms. Lantz explained that the Barclay Farms arbitration was stayed until May 5, 2016. The arbitrator was waiting the outcome of the lawsuit against Hometown America. She was still waiting to hear about the Angola Beach arbitration which had been stayed. Ms. Lantz noted that Ms. Sherlock has been appointed arbitrator in the arbitration matter for Briarwood and Mobile Gardens; the hearing for both was scheduled for April 7, 2016.

2. Park Compliance Issues Arising and Resolved:

Ms. Lantz stated that neither Dackerg, Layton's Riviera or Oakway had paid their Trust Fund assessment for several quarters. Ms. Lantz said reminder calls have been made. Mr. Denman stated he had been in touch with the attorney for Layton's and due to the circumstances, the park was going to be sold by the bank. Mr. Denman advised to wait until the sale had been completed. Mr. Carroll made the motion to file a lawsuit against Dackerg and Oakway Inc. and Mr. Dunn seconded the motion. The motion carried unanimously. Mr. Carroll suggested the Authority keep monitoring Layton's Riviera.

VII. Old Business:

1. Notice of Sale White Oak MHP:

Ms. Boucher stated the addresses on the notice were wrong for DMHOA and the Authority. Ms. Boucher thought the law was very clear on this that DMHOA needed to be notified as they helped the tenants. The President of DMHOA had reached out to the attorney and was told that the tenants had not shown interest in purchasing the land. Ms. Boucher said the Authority needed

to make sure that the addresses were correct. Ms. Lantz disagreed and explained that it was the responsibility of the sender to make sure that the recipients address was correct. Mr. Carroll stated he had looked at DMHOA's address and the website was not clear on the accurate address. He also explained that the Authority had no enforcement Authority. Enforcement of the Right of First Offer provisions lies with the Attorney General's Office. The Authority will attempt to provide accurate information was displayed on its website.

VIII. Unfinished Business:

1. Information Packet for New Board Members:

Ms. Lantz explained she handed out the changes Ms. Polesky made before the meeting. Ms. Polesky said she consolidated the information, she believed account information, contracts or information regarding personnel was accessible through Mr. Carroll or Ms. Lantz and should be excluded. Ms. Boucher suggested personal matters could be distributed to the Board once a year. Ms. Boucher made a suggestion regarding Mr. Denman's responsibilities. Mr. Dunn agreed that certain information should be omitted. Ms. Polesky suggested attaching Chapter 70 and all the Policies and Procedures. Ms. Lantz said she had planned to do this after the Info Packet was completed. Mr. Carroll advised to work off of Ms. Polesky's suggested packet and send any changes to Ms. Boucher.

2. List for Legislature:

Mr. Carroll stated the list was included in the Board Package. Ms. Boucher said she thought the registration requirements were going to be requested by Mr. Carroll. Mr. Carroll stated yes, he would draft an email to Legislature and asked Ms. Lantz to remind him. Ms. Lantz agreed. The item would stay on the agenda for the next meeting.

IX. New Business:

1. Reduction of Trust Fund Assessment:

Mr. Carroll asked the Board's opinion on re-adjusting the assessment. Ms. Polesky thought it might be a trend to see more increases in applications for benefits and that was the reason why it was changed two years ago. Ms. Lantz said there might be a possible Change of Use in Sussex County, although it was not certain and it was a very small community. Mr. Dunn said the biggest impact was the Change in Use of Glasgow Court. Mr. Carroll thought markets can change. Mr. Dunn suggested waiting 6 – 12 month before making a change.

2. Change of Use St. Jones Landing MHP:

Ms. Lantz said the Authority has received another Change of Use Notice, the group of effected tenants was rather small, a total of 12. Ms. Lantz has handed out applications for three tenants she received this morning.

A. Approval and Review of Tenant Applications:

Jones: Ms. Lantz explained that Ms. Jones has applied to move to South Wood Acres and the amount she is requesting is \$12,000 for her double wide home. The mover has quoted her \$11,500 to relocate the home. Mr. Dunn made the motion to approve the application in the amount of \$11,500 and Mr. Meldrum seconded the motion. The Board approved the application in the amount of \$11,500 by four Board Members, with Mr. Strine abstaining due to a conflict.

Temple: Ms. Lantz explained that Mr. Temple has applied to move to Whispering Pines and the amount he is requesting is \$12,000 for his double wide home. The mover has quoted him \$11,500 to relocate the home. Mr. Carroll asked Ms. Hairgrove, who was representing the park, if these were indeed double wide homes. Ms. Hairgrove confirmed that. Mr. Strine stated when

the title showed the letters AB next to the VIN number, that indicated a double wide. Mr. Meldrum made the motion to approve the application in the amount of \$11,500 and Mr. Dunn seconded the motion. The motion was approved by four Board Members, with Mr. Strine abstaining due to a conflict.

Dawson: Ms. Lantz explained that Mr. Dawson has applied to move to Whispering Pines and the amount he is requesting is \$8,000 for his single wide home. The mover has quoted him \$8,000 to relocate the home. Mr. Meldrum made the motion to approve the application in the amount of \$8,000 and Mr. Dunn seconded the motion. The Board approved the application in the amount of \$8,000 was approved by four Board Members, with Mr. Strine abstaining due to a conflict.

3. HB 188:

Mr. Carroll stated this was not the entire bill. Mr. Denman explained that if a petition is filed timely and the 30th day is a Saturday, the next Business Day would apply, which was Monday. The same applied if it would fall on a holiday, then the next Business Day would apply. Mr. Carroll stated it would be interesting to see what the Courts would do with these changes.

X. Public Comments: The tenants present at the meeting were given an opportunity to make comments.

XI. Executive Session:

Mr. Dunn made the motion to go into Executive Session at 1.45 p.m. Ms. Boucher seconded the motion. Unanimous approval was given by all members present by voice vote.

Mr. Carroll made the motion to come out of Executive Session at 1.50 p.m. Ms. Boucher seconded the motion. Unanimous approval was given by all members present by voice vote.

XII. NEXT MEETING DATE - ADJOURNMENT:

The Board set the next meeting date to May 12, 2016.

As there was nothing else before the Board the meeting was adjourned at 1.51 p.m.

Respectfully submitted,

Susanne Lantz
Executive Director