

DELAWARE MANUFACTURED HOME RELOCATION AUTHORITY

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

Minutes of September 12, 2017 Board Meeting

IN ATTENDANCE:

Authority: Kevin Carroll
William Dunn
Elizabeth (Beth) McGinn
George Meldrum
Andy Strine (Arrived late)

Dan Daly (Non-Voting Member)
Gregg Sutton (Executive Director)
Jane Sabo (DEHMRA Assistant)

Legal Counsel: Bill Denman

Other Attendees: Susan Hairgrove, St. Jones Landing
Jen Allen, First State Manufactured Housing Association

I. Call to Order:

Mr. Carroll called the meeting to order at 1:32 p.m. He noted that Mr. Strine had not arrived yet but that a quorum was present.

II. Review and Approval of Minutes:

Mr. Carroll asked the Board if anyone had any comments or corrections to the July 27, 2017 meeting minutes, and if not, requested the Board to consider approval of the minutes. Ms. McGinn made a motion to approve the minutes. The motion was seconded by Mr. Meldrum. The Board approved July's meeting minutes, 4:0:1 with Mr. Strine arriving late.

III. Executive Directors Report:

Mr. Sutton stated that since the last meeting, the following has been accomplished:

- Over 180 annual registration notices have been mailed out to community owners requesting that they complete and return these registrations by December 31, 2017. To date, more than 25% have been completed and returned.
- The credit card company issued a refund check in the amount of \$71.14 for the credit balance remaining on the DEMHRA credit card. This amount was deposited into the DEMHRA operating account.
- DEMHRA is still receiving phone calls from concerned Glasgow Court tenants regarding a potential change-in-land use notice. Affected tenants were advised that the Authority could not offer any assistance until DEMHRA received a change-in-use notice from the community owner.

- On August 24, 2017, DEMHRA received a notice of appeal from Sand Hill Acres HOA appealing the decision of the arbitrator to the Superior Court, State of Delaware. In this appeal, the appellee, requested that DEMHRA send a copy of the arbitration records to the Superior Court within 20 days of receiving the citation. The information was mailed to the Superior Court on September 5, 2017.

IV. Chair's Report:

Mr. Carroll reminded the Board that on Thursday, September 14, 2017, there would be a Community Meeting for Glasgow Court residents hosted by Senator Townsend's office at William A. Oberly Elementary School in Bear, Delaware. He further stated that he would be attending this meeting as a resource to answer any questions the residents may have. Mr. Sutton stated that he would also be attending the meeting. Mr. Carroll requested Mr. Sutton to follow-up to see if an interpreter would be present at the meeting. One administrative note that Mr. Carroll addressed was the amount of money spent on mailing Board packages. Mr. Sutton advised him that it was approximately \$40.00 a month. Mr. Carroll asked if any Board members had any objections to receiving their Board packages electronically and if not, suggested that the Board packages be sent electronically. It was agreed unanimously by the Board that unless a member requested a copy to be mailed, the packages would be distributed electronically. A copy of the Board package will also be provided for each Board member at the actual Board meeting.

V. Financial Activity & Report

A. Approval of Financial Report

Mr. Sutton reviewed the financial report and Trust Fund expenditures for the month of July 2017. Mr. Carroll stated that moving forward, arbitration costs should be captured separately on the financial report. Ms. McGinn recommended that the actual date be listed at the top of the page of the financial report instead of printing the words: "Fund to Date." Ms. McGinn made a motion to approve the financial report and the motion was seconded by Mr. Strine. The motion passed 5:0.

B. Approval of other Financial Matters:

Approval of Legal Counsel invoices

Mr. Sutton reviewed the invoices from Mr. Denman for July of 2017. Mr. Strine made a motion to approve the legal counsel invoices which was seconded by Mr. Meldrum. The motion passed 5:0.

C. Approval of Arbitrator Invoices

- **Cooper Levenson:** Mr. Strine made a motion to approve the invoice which was seconded by Mr. Meldrum. The motion passed 5:0.
- **Morris James:** Mr. Carroll noted that there were no hours on the invoice (hours for a mediator). Counsel, Mr. Denman recommended that an hourly rate should be provided with services rendered. Mr. Carroll asked Mr. Sutton to request an itemized breakdown of services provided with an hourly rate. The Board decided to table further discussion on approving this invoice until the next Board meeting.
- **Moore and Rutt:** Mr. Strine made a motion to approve this invoice which was seconded by Mr. Dunn.

VI. Reports

A). Arbitration Matters

1. Docket 4-2017 (Sand Hills Acres HOA vs. Sand Hill Acres MHC, LLC.) HOA appealing rent increase in Superior Court
2. Dockets 5-2017 (Bon Ayre) and 6-2017 (Holly Hill Estates) have not gone to arbitration yet

B). Compliance Matters

1. Four communities were sent delinquent registration letters. However, of these four, only Pine Hill Acres is late making quarterly assessment payments
2. Mr. Denman stated that the Authority would be better off using legal counsel to focus on those communities who are two quarters delinquent with paying their assessments. He further stated that prior to threatening legal action against those communities who are delinquent in registering with the Authority, the Authority should make an effort to contact those communities electronically and by telephone.

VII. Unfinished Business:

A. Arbitration fees for 2016-2017

Discussed under Financial Matters

B. Update on Phase 2 of the St. Jones Relocation Plan

There was one application for relocation assistance presented at this meeting. There are no other applicants eligible for relocation assistance. At the July 27 Board meeting, the Board also approved a request for an abandonment payment for Virginia Serrano who lived at 53 Marshview Drive. Because she had an outstanding tax liability, her delinquent taxes will be paid from her abandonment benefits. The Authority will pay the difference to Ms. Serrano.

C. Update on Lighthouse Cove Relocation Plan

There was one application presented at this meeting for relocation assistance which leaves three applicants eligible for relocation assistance.

D. Update on Compliance Investigator

Mr. Sutton stated that there were five applicants for this position. He will interview four of them as the fifth applicant lives in Pennsylvania. He will select two applicants to fill the position (one for Kent County below Smyrna and all of Sussex County and one for Northern Smyrna and all of New Castle County), on as needed basis.

E. Request from Irene's Trailer Park

Mr. Strine made a motion to approve Ms. Carey's request to have her mobile home community designated as a seasonal park based in part on the recent changes she made to her lease terms. Once approved, she would no longer be required to pay the quarterly assessments and she and her tenants would not be eligible for relocation benefits. The motion was seconded by Mr. Meldrum. The motion passed 5:0. Mr. Sutton will send Ms. Carey a letter advising her of the Board's actions on her request.

F. Trust Fund Reassessment (DEMHRA Reassessment Summary)

Mr. Sutton presented the Board with information requested by Mr. Dunn on the Trust Fund Reassessment. The Board will take this information under advisement for a later date.

VIII. New Business:

A. Application for Approval of Relocatable Benefits (St. Jones Landing Phase 2):

Yvonne Pressley, 41 Edgewater Drive, Magnolia: Ms. Pressley applied for \$11,500.00 in relocation benefits for her double-wide home. The Board reviewed her request based on the documents that were provided. Mr. Dunn made a motion to approve the relocation benefits. The motion was seconded by Mr. Meldrum. The motion passed 4:0:1 with Mr. Strine abstaining.

Lot 56 Edgewater Drive, Magnolia: K4 Management applied for \$3000.00 in demolition benefits. The Board reviewed the request based on the documents that were provided. Mr. Meldrum made a motion to approve the relocation benefits. The motion was seconded by Mr. Dunn. The motion passed 4:0:1 with Mr. Strine abstaining.

B. Application for Approval of Relocatable Benefits (Lighthouse Cove):

Gail Koller, 38994 Lighthouse Cove Lane, Fenwick Island: Ms. Koller applied for \$8,000.00 in relocation benefits for her 1994 single-wide mobile home. The Board reviewed her request based on the documents she provided. Mr. Strine made a motion to approve the relocation benefits. The motion was seconded by Mr. Meldrum. The motion passed 5:0.

C. Request to Remove High Point Spring Valley HOA from the DEMHRA Website

The Board's opinion was to leave them on the website as it does no harm to the Authority but they would not be eligible for a Right of First Offer should their community be sold. At this point, there is no evidence that this HOA is a Delaware corporation.

D. Proposal to Purchase New Printer/Copier

1. Mr. Sutton stated that the drum life, fuser, and laser on the existing printer/copier, which was purchased in 2011, is about 16% effective and the copies are of poor quality.
2. He presented a quote to purchase a new copier for approximately \$1,200.00. The same copier could be leased for \$61.00 per month but it would be more cost effective to purchase it. This copier also has sorting capabilities which the existing copier does not. This would make the office run more efficiently as there would be no need to sort manually or to leave the office to make copies at Windswept. Based on the information presented, Mr. Strine made a motion to approve the purchase of the new printer/copier. The motion was seconded by Mr. Meldrum. The motion passed 4:0:1 with Mr. Dunn abstaining.

E. Pine Ridge Park Settlement Agreement

1. The owner of Pine Ridge Park was requesting a reimbursement for overpayments she made to satisfy a settlement agreement.
2. As there was no documented proof of an overpayment of the settlement agreement, Mr. Strine made a motion to deny her request. The motion was seconded by Mr. Meldrum. The motion passed 5:0.

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

X. Executive Session: There were no items to discuss so the Board did not go into Executive Session. Mr. Denman provided the Board with a report on the decision of the Court in the St. Jones Landing Chancery Court. Mr. Denman reported that the Court had denied the Plaintiffs' motion for a preliminary injunction.

XI. Next Meeting Date – 10/24/17 Adjournment:

Mr. Meldrum made the motion to adjourn the meeting. Mr. Strine seconded the motion. The motion passed 5:0. As there was nothing further to discuss, the meeting adjourned at 3:15p.m.

Respectfully submitted,

Gregg Sutton
Executive Director