

Breakwater Estates
Board of Directors Meeting Minutes
March 24, 2012

The Breakwater Estates board of Directors met at the home of Maryl Kerley, Saturday, March 24, 2012. Present at the meeting were: John Birdsell, Brian Eichenlaub, Maryl Kerley, Karen McGavin, Scott Standiford, Frank Frazzano, Jonathan Poole (Property Manager from Sea Scape) and Amanda O'Brien (also from Sea Scape). Marilyn Hewitt was absent.

President Maryl Kerley called the meeting to order at 9:07 am.

Minutes of the October 2, 2011 Meeting were read with no corrections suggested. Scott Standiford made a motion to accept the minutes and Karen McGavin seconded. The motion carried.

Treasure's Report: Scott stated there is \$12,502.74 in the Road Reserve Checking Account and \$35,000.00 in the Road certificate of Deposit account for a total of \$47,502.74 in the Road Reserve fund. There is \$17,373.59 in Operating Checking Account. Scott motioned that the report be accepted and Brian Eichenlaub seconded. The motion carried.

OLD BUSINESS

Storm Water Pond (s)

Scott informed the board, that there is a "paved" overgrown road between the two storm water runoff ponds behind the mailboxes. This road is open to the public from Wolfe Neck Road and easily accessible for anyone to park a car and cause mischief. Scott motioned to have a chain put across the entrance, with a lock so that cars could not enter there or park. Meryl seconded and the motion carried. Jonathan Pool will contact Murray's Residential Services to get a bid and if reasonable, erect the two wooden posts and chain across the road.

Scott also let the board know that all the brush has been removed from the first storm water pond (the one directly behind the mailboxes on Rusty Anchor Drive and Wolfe Neck Road), but there are many saplings now growing which will be full-fledged trees if nothing is done. It will be much cheaper now to address this and cut them down as opposed to a few years from now when they are mature trees. Scott made a motion to contact Maxwell Lawns (the company who cleared out the brush) to come back to cut down the saplings. Brian seconded and the motion carried.

NEW BUSINESS

School Busses in the Community

Background: In 2007, community home owners (92 homes in the community) were surveyed as to whether to allow school busses in the community to pick up children. Most communities have school bus stops outside their community at designated bus stops. Breakwater Estates pick up stops would be at the two main entrances – at Rusty Anchor and Breakwater Drive and Wolfe Neck Road and Rusty Anchor Drive. The community homeowners voted 37 not to allow school to busses through the community and 18 to allow the busses drive through. Part of the reasoning was to help preserve the roads and the two stops were not that great a distance to walk.

Since then, there are school aged children in the community. Some have considered it a hardship to have the children walk to the two bus pick up areas and want the children picked up in front of the homes.

The Board was contacted and asked to allow the busses in the neighborhood to pick up the children and drop them off at their homes. The board members, and Sea Scape manager, researched the issue. The board, by obligation to the home owners, need to represent the community and its wishes (the 2007 vote) and also address the current resident's wishes.

Vanessa Moore, the Supervisor of Transportation for the Cape Henlopen School District was contacted and apprised of the situation. *According to Ms. Moore, a school bus cannot go into a development if the community does not want them in, unless the child is on the special needs bus. However, when dropping off the children in the afternoon, the bus driver must leave any kindergarten student with an adult or they may get off the bus with a sibling.*

Also, Linda Sullivan, a Secretary for Ron Love from the Delaware Department of Education, School Transportation Office, *stated that the state cannot have a bus stop on any privately owned road without the permission of the owners of the roads* (the residents of Breakwater Estates in this instance).

In the current situation, none of the children are special needs, and the one kindergarten child does have an older sibling to walk to and from the bus stop with.

Decisions and Motions:

After much discussion and considering all the above, the Board made a suggestion and it was put forth through a Motion of two parts.

1. By following the law, there is no reason the busses need to access the community. Therefore, for the remainder of this school year, no busses would be allowed, honoring to the vote of the community five years earlier.

And

2. It has been five years since the last vote and the Board will put it up for a vote again at the Annual Community Meeting in June and the community will have to again decide with the information put forth in these notes and discussion at the community meeting whether to continue to ban the school busses in the community or not.

The motion was put forth by Maryl, seconded by Karen and unanimously accepted by the Board.

Property Manager's Report – Jonathan Poole

Jonathan Poole from SeaScape provided the board a lengthy Management Report summarizing all activity since taking over the property management of Breakwater Estates. The report is on file. In terms of finances, at this point, we are within our budget and we are actually under what was budgeted for this year.

Jonathan, using the budget this year will review where the community funds were distributed and will work on a new proposed budget for the community meeting in June for the homeowners to vote on.

Road Repairs to Edge of Roads

Beacon Drive is in need of roadwork to the sides of the road. Jonathan will contact Vicky Pusey from Terra Forma to get a cost estimate and report back to Maryl.

Also, it was discussed that some homes have crushed culvert pipes at the edges preventing water from passing. If this is the case, it is the responsibility of the homeowners to correct and keep the culvert pipes clear of soil, grass and debris.

Proposal to allow only one trash service in BWE

Because of the wear and tear to the roads of 6 trash/recycling trucks a week by three different trash services (6 trucks – 1 trash and 1 recycling times 3 companies); it was discussed to have only one trash company for the community. A motion was put forward by Brian to have the homeowners vote on it at the June community meeting to select only one trash service or not. The board will also have the information on the ballot as to the costs of each company and how much it will cost each homeowner if one service is selected. The bids will include yearly pick up and seasonal pick up. The trash pick -ups will be for Monday pick-up. Maryl seconded to motion and was carried.

June Annual Community Meeting

The meeting will be held Saturday, June 9, 2012 at Epworth Church in the Choral room beginning at 8:30 am. Sign in begins at 8:30 am. Meeting begins at 9:00 am. The meeting needs to conclude by 10:30 am due to another group using the Choral room.

Scott motioned to have a *stamped* return envelope included in with the mailing for the annual meeting so absent homeowners could return proxies if they cannot attend as well as the ballot for the two issues before the community. Again, the two issues on the ballot will be 1. Busses in the community and 2. One trash/recycling service in the community. Brian seconded and it carried.

OTHER

Jonathan will contact Tidewater Utility about the annual flushing of the water pipes in Breakwater Estates. The flushing will occur sometime in the spring.

Two (2) street lights are out in the community and need to be replaced. Jonathan will take care of this.

Homeowners are parking on their front lawns causing the lawns to be torn up and an eyesore. The homeowners will be contacted and asked to expand their drives if this is a need. If this continues, as per the covenants of the community, fines will be imposed on the homeowners.

Again, gates to the community by the mailboxes at Rusty Anchor and Wolfe Neck Road were an issue. Jonathan will research and see how much it will be to install and maintain such for the community meeting in June.

Maryl and Jonathan are backup treasures for Scott incase he is called out of town for an extended time due to his work.

Jonathan brought up that the community is out of "dog bags" for the convenience of the community dog walkers to pick up after their dogs. The bags are located by the mailboxes. Jonathan asked permission to spend \$200.00 for 800 dog bags for the community. It was approved.

Next Board meeting is Saturday, May 5, 2012 at 9:00 am at SeaScape Property Management office.

Meeting adjourned at 11:10 am.

Respectfully Submitted,

Brian E. Eichenlaub
Secretary, Breakwater Estates

Breakwater Estates Board of Directors
Agenda
March 24, 2012, 9:00 am
14 Breakwater Drive

1. Call to Order:

Welcome to Jonathan Poole, Community Manager

2. Approval of October 2, 2011 Minutes – John

3. Treasurers Report – Scott

4. Property managers Report – Jonathan

1. Information on School Bus Issue

5. Old Business

1. Storm Water Pond

6. New Business

1. Proposed Budget for 2012-13 – Scott/Jonathan

2. Proposal to allow only one trash service in BWE – Maryl

3. Road Repairs to edge of roads – getting bids

4. Information Needed to Prepare for Annual Meeting

- Cover Letter, Annual Minutes, Agenda, Proxy, Proposed Budget, Return Envelope

5. Other

7. Adjournment