

MINUTES – EXECUTIVE COUNCIL MEETING – DECEMBER 19, 2005

The meeting was held at the Kent County Office Building. It was called to order at 2:05 pm, followed by the Pledge of Allegiance. There were approximately 27 residents in attendance.

Executive Council Members in Attendance:

Richard Maly	Eileen Franco	
Laurie vanRooten	Lois Abendroth	Bob Lockwood
Harvey Lowing	Ken Fuchs	

Invited Guests:

Barbara Gadbois, Deputy Attorney General; head of the Consumer Protection Unit
Chris White, Executive Director, DECLASI
Robert Mooney, Mayor, Town of Camden
Tim Blawn, Operations Manager, Town of Camden
Scott Atkisson, Engineer, Town of Camden

Bob Lockwood made a motion to accept the minutes of the November 2nd General Membership meeting. The motion was seconded and approved.

Treasurer's Report

2005 revenue collected to date	= \$2,048.00	
2006 revenue collected to date	= \$ 356.00	
Expenditures to date	<u>- 1,431.73</u>	- 89.00 (Incorporation Fee)
		- 59.33 (Construction Committee)
		- 280.00 (DMHOA Dues)
		- 158.75 (Communication – Newsletter)
		- 44.60 (Membership Committee)
		- 57.48 (Postage/Mailing)
		- 38.00 USPS Service Fee (2005)
		- 38.00 USPS Service Fee (2006)
		- 30.00 Dinner Meeting Expenses
		- 9.89 Copy of Robert's Rules of Order
		- 250.00 Donation to CLASI
		- 200.00 Donation to C-W Fire Dept.
		- 150.00 IRS Tax Exemption Fee
		- 26.68 Printing of Business Checks
Net Revenue	\$ 972.27	

Bank Statement Reconciliation at 11/30/05 = \$887.77 + Deposit of \$100 = \$987.77
less \$15.50 = \$972.27 adjusted balance

All revenue collected to date is from BFHCA dues.

Laurie vanRooten made a motion to accept the Treasurer's report. The motion was seconded and approved.

The President reported that the Towns of Camden and Wyoming have contacted the United States Postal Service, as well as Senators Biden and Carper and Congressman Castle to apply for a separate zip code for the Town of Wyoming. The current post office would house both zip codes. Copies of three letters, addressed to the elected officials, were available and all residents at the meeting were asked to sign one of each. The Towns will pay for the mailing costs.

Chris White spoke to the meeting regarding future use of the Clubhouse by the BFHCA. He has met with the Barclay Farms Delaware attorneys and the issue continues to be insurance. The

only options available to us are (1) to purchase insurance for use of the building or (2) to have an individual resident willing to take responsibility for the use of the Clubhouse through their homeowner insurance policy.

Bill Taylor questioned why, if all residents are invited to our meetings, and if the Clubhouse is for use by all residents, the BFHCA cannot use the Clubhouse for meetings. Chris White responded because Barclay Farms management does not sponsor or endorse BFHCA meetings.

Information gathered by the ad hoc insurance committee and further investigated by Ken Fuchs shows that the Harrington Insurance Company can provide insurance coverage up to \$2 million/year/incident for a premium of \$1630. The President reported that the Executive Council's recommendation regarding this matter would be presented to the members prior to the next General Meeting in March 2006.

Construction Issues

Mike Greenstreet opened the discussion by stating that he is still encountering some problems in the construction of Phase 3 houses. He questioned the inspections of the finished work and also why public officials cannot take the initiative in establishing building codes.

Barbara Gadbois discussed the purpose of her office. The Consumer Protection Unit's only client is the State of Delaware. Her office takes complaints from individuals in regard to State law. Her office does not have jurisdiction over County building codes. The Attorney General's office enforces the laws that are currently in effect. They do not make or change the law.

The President responded that the DMHOA is currently working to change some laws in order to make them work better for manufactured housing in land-lease situations.

There is a contractual responsibility between the homeowner and the landlord. What can the BFHCA do and not do?

Chris White replied that the laws do need to be changed. The homeowner has a contract with the landlord and essentially the Consumer Protection Unit cannot help with any problems.

Both Barbara Gadbois and Chris White reminded all residents that they could hire a private attorney to handle any dispute with the landlord. It was pointed out by Mike Greenstreet that not everyone living in manufactured housing could afford the services of a private attorney.

Mayor Robert Mooney spoke of the 'precedence' that existed with the Town of Camden and Barclay Farms prior to his administration. With regard to the sidewalk issue of several years ago, the court stated that the Town of Camden could not withhold certificates of occupancy on future houses because of all the previous houses that were issued CO's without sidewalks in place.

A discussion was held on Ordinance #63 and changes to that ordinance, if any.

- Homes that were inspected and occupied prior to Ordinance #63 are not grandfathered. The Town cannot address any issues pertaining to these homes.
- Once inspected and a CO is issued, the Town, by law, cannot re-inspect a home.
- Inspections are not done if the pad is considered unsafe for the inspector (i.e., standing water, etc.)
- The Town is not a warranty enforcer. If there is any non-warranty issue that needs to be addressed by Ordinance #63, for the benefit of the community, bring the appropriate language to the Town and the amendment process will be started.
- The vapor barrier as stated in Ritz Craft's warranty is recommended but not required.
- There has been no amendment to the ordinance regarding anchor installation. This issue will go back to the Engineer to determine if the new rules submitted by Barclay Farms adheres to the ordinance.

Copies of all certificates of occupancy are kept at Town Hall. Any resident may request a copy of this document at no charge. A green copy is given to Barclay Farms at the time of the inspection and is kept with their records. A white carbon copy is posted in the home, and there may be a problem with the sun affecting the ink and making this copy unreadable to the resident.

Stan Woodman thanked the guests and all speakers for all of the information that was presented at this meeting.

Bob Mills commented on the IRC codes that are currently in effect in Delaware. According to these codes, homes constructed in land-lease developments have less stringent codes than the same home constructed on a private lot.

Barbara Gadbois pointed out that residents in manufactured home communities are a very big voting block and could work toward changing some of the current laws. Richard Maly advised that the DMHOA sponsored bills are still viable for this Legislative session that runs from January through June. After June, if not passed, they will be dead. We need to get in touch with our elected officials and make our voices heard.

Scott Atkinson, Engineer, spoke briefly regarding his firm and the function they serve with the Town of Camden. He recommended that the first amendment to Ordinance #63 should be regarding the vapor barrier.

Bob Lockwood made a motion to adopt Mike Greenstreet's list of specific recommendations to consider regarding improving the Town of Camden's Ordinance #63 for manufactured home installation dated December 7, 2005. The motion was seconded and approved.

Laurie vanRooten made a motion to adjourn the meeting at 4:10 pm. The motion was seconded and approved.

Respectfully submitted,

Eileen Franco
Secretary