

RIVERVIEW ESTATES HOA MEETING – November 4, 2015 @ Frederica Senior Center

Meeting was called to order at 7:05PM

Present: Steve Halstead, President, Board of Directors, Steve Swierczek, Vice President, Board of Directors, Joanne Sharpe, Treasurer

Absent: Joseph Yili, Board Member, Steve Chantry, Secretary/Web Administration

Seventeen (17) resident homes (Members) were represented...a quorum (10%) was declared.

Documents distributed to each attendee included: the detailed Agenda, Welcome Package, and a description of the Kent County Storm Water Maintenance District (3 pages).

Steve Halstead introduced Sarah Keifer, Director of Planning Services, Kent Co Delaware. Ms. Keifer introduced the Kent County Stormwater Maintenance District (KC-SWMD) Program and described its development. Members of the Kent Conservation District staff were introduced: Jared Adkins, Program Manager, and Kelly Wilson, Urban Conservationist. After Ms. Keifer's presentation, Mr. Adkins explained the operation of the program in more detail and answered many questions.

Step #1 – A letter of intent to join the program is submitted to Kent County Planning.

Step #2 - The stormwater infrastructure is assessed and the HOA will be provided with a draft Operation and Maintenance Plan. Any required repairs would need to be completed prior to inclusion in the program.

Step #3 - A petition must be circulated to the property owners involved in the "district" and it must be signed by at least 51% of the residents in favor of joining. Since this is a voluntary program for us, it is possible to disenroll if a petition of at least 51% is signed by the residents.

Step #4 – After Kent Co Planning verifies the petition, a Levy Court hearing will be held to give all residents a chance to make comments. The Levy Court then votes whether to establish such a district.

Bottom line: Our current 'reserve' funds of \$25,000 are insufficient in case of a major pond wall failure / sinkhole (e.g. as a result of a hurricane). Based on a preliminary evaluation of our structures by the Kent County Conservation staff, they estimated the cost to repair a major failure is in excess of \$100,000. This means we need a 'reserve' of at least \$100,000. *Since the Board cannot make a special assessment of more than \$10,000 per year (from all Members), in order to raise an additional \$75,000 we would need a special assessment of \$62.50 per property owner every year for eight years to raise the reserve funds to this level. **If we join the KC-SWMD, any repair costs would be paid by the County Program and our 'reserve' fund could be kept at the current level.*** The cost to residents has been set at \$28 per year per household which is added to each tax bill (which is deductible on your income taxes whereas HOA dues are not).

Mr. Halstead next introduced Levy Court District 4 (our district) Commissioner, Mr. Eric Buckson.

Commissioner Buckson reported on a question asked by the Board. The question was: Does the HOA have to amend our By-Laws and Declaration of Covenants, Conditions & Restrictions because of the 2014 law known as DUCIOA? Commissioner Buckson made it clear that we are not required to change any of our documents; however, we could change any point or all of those addressed in this law. It is our choice. He also made a brief statement, and strongly endorsed the HOA's efforts to keep our community looking good.

Treasurer's Report: Treasurer Joanne Sharpe reported that we currently bank at WSFS Bank. The present checking account balance is \$2,632.35 and the Money Market savings account balance is \$25,426.20. Our HOA does not have a serious delinquency problem. There currently are 16 accounts with outstanding balances. Of those 16, seven owe only for the current year's dues plus fees (one is making payments), while the remaining nine owe for more than two years. Liens have been placed on these properties. Initially the HOA filed 14 liens but 5 have been paid off and we are receiving payments on another. Liens have been more effective than filing personal judgments.

Architectural Committee Report: Committee Chairman Steve Swierczek reported that the committee had only one application, received earlier this week. A resident reported that two new sheds were added along Albacore Street. No applications were submitted. This continues to be a problem. Too often residents do not submit the necessary applications before making changes to their property.

Welcome Committee Report: Joseph Yili has agreed to Chair a committee dealing with welcoming new residents to the community. Mr. Halstead briefly discussed the Welcome Packet Mr. Yili has developed. A copy was provided to each attendee. Please send a letter to bod@riverview-estates.org if you would be willing to serve on this committee. We would like to have at least two (2) more members.

Additional Issues from May 2015 Association Meeting:

- Street Repairs – The Board contacted Representative Peterman’s office and he had DeIDOT do an assessment of our streets. It was determined that the damage to our streets is significant, but we are not high enough on the priority list to have repairs done this year with available funds.
- Waiver of annual fees for Board Members and Officers – A legal opinion was obtained concerning this motion from the May. We were told that this could be considered remuneration (forbidden in the By-Laws) and was therefore being dropped from consideration.
- The pond fountain/pump at the large pond was replaced at a cost of \$4,372, with a 5 year warranty. The fountain for the smaller pond on Lorraine Drive is planned for replacement next spring. We will not spend this much on a fountain for the small pond. *Options are being considered.*
- Eight non-functioning street lights were recently repaired by DEC. Two more problem lights were identified by residents. The light pole numbers are to be provided to the Board for reporting & repair.
- Storage of vehicles and boats was discussed. One resident objected to the presence of campers and boats in driveways. The Declarations (C,C&Rs) are not very specific on this issue because of clarity of wording. It is clear that such vehicles may not be “stored” on a resident’s property, but the Board will continue to handle these situations on a case-by-case basis. *An off-site storage area (outside the community) is also being investigated.*

Additional Issues:

- Vegetation care around the entrance signs – This has not been included in the lawn care contract so the cost is additional. It was suggested to use volunteers, especially young people from our community needing to complete their community service requirements; we would need a Coordinator to supervise such volunteers. *The Board will investigate whether we can get high school students to do this.*
- In view of the fact that the Kent County Stormwater Maintenance Program does not deal with routine maintenance of the ponds, a question was asked about getting additional bids for providing such services. *The Board will seek other pond management opportunities to keep our costs down while providing the same kind of services we have had over the past two years. The previous managers had to be fired due to poor performance.*
- Mr. Halstead noted that Policies and Procedures are being developed by the Board spelling out what actions will be taken when someone is in violation of the Declaration of Covenants, Conditions and Restrictions. For clarification, the By-Laws deal with how the HOA is to be operated, and do not deal with restrictions. These guidelines will be distributed for comment before being adopted by the Board.
- "Nextdoor.com Riverview Estates" was discussed as a social media site; Lead is Linda Formelio; the neighborhood includes both the new and old sections of Riverview Estates. This is not a HOA project but Members are encouraged to try it to see if there are possibilities for better communications. You can opt out easily if you decide it is not for you. Go to nextdoor.com and enter your zip code, address and name.
- A motion was introduced and passed for the local Rotary Club to be allowed to fly US Flags on 4 different days during the year on resident property; those who wish to participate need to fill out a form and make a small annual contribution. Jose Echeverri is the contact person for this project.

Commissioner Buckson asked for an opportunity for final remarks. He encouraged our HOA members to stay active and committed to the maintenance of the community, despite any differences of opinion.

The meeting was adjourned at 9:00 PM.