

# MINUTES

## Silver Woods CA Board Meeting

May 2, 2023

6:30pm

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### In Attendance

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Margie Beatty, Marc Bogner, Laura Giorgianni, Diane Seeger, Trish Scott, Tabitha Hammerstone

Homeowner attendance: six

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### Housekeeping

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- Call to order.
- Approval of April minutes: approved.

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### Committee and Property Management Reports

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#### 1. Board Committee and Property Management Reports:

##### a. Margie: Inspections:

- i. Premier sent 10-15 courtesy notices to homeowners in the last week of April to alert them of algae growth on side of their house.

##### b. Trish: Pool/Clubhouse:

- i. Coastline pools is prepping the pool for a May 27 opening.
- ii. Painting and power washing of clubhouses is on schedule for this week (May3, May 4-5 respectively).
- iii. Trish will call Johnson Fitness to schedule bi-annual gym equipment service. We are still waiting for parts for the elliptical to replace all the rusted support structure.
- iv. Joe Giorgianni, who was in attendance, thanked the homeowners who showed up to help move pool furniture and prep for power washing.

##### c. Diane/Laura: Ponds:

- i. Pond fountain clogged and was shut off Sunday 4/30. Enviro-Tech was notified, and we are still waiting for them to fix it. Enviro-Tech will re-seed wildflowers, awaiting delivery date of the seeds.

##### d. Laura: Finance:

- i. Finance: Operating reserve account has been funded per our discussion and vote in the April meeting. The new home build deposit of \$5,000 has been received and is in an escrow account.

##### e. Marc: Contracts/Premier:

- i. Premier continues to be very responsive. Marc is working with Brightview on initial transition issues. While the mowing has gotten better there are still areas of concern that need to be addressed and Marc met with the Brightview representative to discuss these issues. There will be three mows in May to allow grass to grow. Fertilization dates will be communicated shortly. Brightview accidentally damaged the pop-up pipe when

edging the clubhouse mulch bed. We have requested the pipe be buried to minimize future damage. The cost is estimated at \$400, and Marc will work to negotiate a lower charge.

- f. Tabitha: Property Management Report: April community metrics and Ombudsman Update:
  - i. Nine submitted ARC applications; three voided, five pending, one completed.
  - ii. Six completed community inspections.
  - iii. One submitted and completed work order.
  - iv. One resale.
  - v. HOA delinquencies totaling \$1303.00.
  - vi. Account balance total, \$168,751.47. Includes Operating, Operating Reserve, Escrow, and LTR.
  - vii. Ombudsman update: Documents sent to the Ombudsman's Office which support the community issues against the developer. A copy of this information was mailed to the developer on April 21. If a response from the developer is not received by May 11, mediation will be scheduled with the BOD, the developer, and the Delaware Courthouse of Wilmington.
- g. Margie/Trish: Welcoming Committee:
  - i. Trish and Margie welcomed new homeowners, Mary Beth (61 Old Forge) and Glen and Diane (44 Old Forge), with a welcome gift and cake.

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## Old Business

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- 1. Move Bench: *complete.*
- 2. Medical Training: Mary Jane Volk is coordinating. *In process*

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## New Business

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- 1. **Permit-by-rule for exterior doors:** SWARC recommended permit by rule was accepted as drafted until such time that we add specific colors with plans to amend to specific established colors. Motion carries 4 to 1. Diane dissented as she would like to have a list of approved colors and codes for homeowners to view so that they are aware of previously approved colors in the neighborhood from which they can choose. BOD will amend this rule when the list is compiled.
- 2. **Deer Deterrent:** Via email, a homeowner questioned the guidelines pertaining to the use of deer deterrents in the neighborhood. The homeowner expressed concern that there is a deterrent that when activated makes a loud noise and blinking lights which are disruptive. Deterrent alarms are not supposed to be loud enough for humans to hear. The BOD advised the complaining homeowner to speak with the offending neighbor and try to work something out. If needed, the BOD will liaison with the homeowner to try to work out a compromise.
- 3. **Dumping at Thornton Road entrance:** Wood chips and sod from re-worked swales have been dumped by the contractors who did work. Since the property is owned by the developer, the Board has no control over this issue.
- 4. **Premier Sign:** Will be placed on Thornton Rd between the speed limit sign and end of the walking trail which is far enough away from the Excel sign. *Action item.*

## 5. Walking paths:

- a. Ron Wisneski asked when the trees on the approved 2016 landscaping plan would be planted. It was explained that the walking trails must be completed prior to the developer pouring the first foundation in the new phase for Silver Woods, and the plantings on the landscaping plan must be completed prior to the 54<sup>th</sup> C.O. of the new phase per the town ordinance.
- b. The Board Treasurer, Laura, and three representatives of the town of Ocean View surveyed and walked the existing trails. The purpose was for them to be aware of the condition/type of trails that were installed. The representatives compiled a punch list that the developer must complete.
- c. Laura, Marc, and Margie are scheduled to meet with the Ocean View Planning and Zoning Director and the developer to discuss the walking trails and will suggest eliminating the scheduled bridges to save the developer money and to eliminate costly future upkeep fees for the community. The hope is for the developer to reimburse the community some/all of the money so that it can be set aside for future upkeep needs for the trails. Amenities at the clubhouse and trees on the landscaping plan need to be complete by the 54<sup>th</sup> C.O. of new phase of Silver Woods or the developer will not be allowed to continue building.

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## Work Session

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**Committee Charters:** Drafts committee charters were reviewed and edited. Charters were approved with edits. Primary edits included: resolution format, consistency of language (property owner instead of HO/Resident), BOD, etc. Committee liaisons are responsible for getting their respective committee members to review and sign. **Action item.**

- a. Social: (Margie): Diane motioned. Laura seconded. All approved.
- b. SWARC: (Marc): Diane motioned. Laura seconded. All approved.
- c. Building & Maintenance: (Laura): Diane motioned. Trish seconded. All approved.
- d. Code of Conduct (Diane): Laura motioned. Marc seconded. All approved.
- e. Fine Schedule for inspection defaults: (Margie, Marc): Marc motioned. Trish seconded. All approved.

Joe Giorgianni was present to answer questions pertaining to the SWARC and maintenance charters. He voiced concern about SWARC applications being housed in various places. Tabitha offered to create a folder on Vantaca for SWARC applications and give permission to SWARC members so that there is one primary site. **Action item.**

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## Budget/ Financial Information

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N/A

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## Action Items: In Process

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**Committee Reports:** committee chairs will address action items for their respective committees.

1. Medical Training: Mary Jane Volk is coordinating. *in process*

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## Action Items: Pending

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1. NB 4: Place Premier sign.
2. EWS: Create tab for primary site to house SWARC applications (Tabitha).

3. EWS: Committee charter distribution and collection (committee liaisons).

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Next Meeting

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June 6, 6:30 pm., SWCA, Monthly Meeting, Clubhouse

No July SWCA Monthly Meeting

June 20, 6:30 pm., Q2 SWCA Meeting, Zoom

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Meeting Documents

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Agenda

Draft for "Door Paint Permit by Rule"

Draft SWCA Charters

# Silver Woods CA Agenda

May 2, 2023

6:30 pm

Call to Order

Roll Call

Approval of Minutes of Last Meeting

- Committee Reports
  - Inspections - Margie
  - Pool/Clubhouse – Trish
  - Ponds/Envirotech – Laura/Diane
  - Finance – Laura
  - Contracts/Premier – Marc
  - Welcoming Committee – Trish/Margie
- Committee Charters –
  - Social – Margie
  - SWARC – Marc
  - Building and Maintenance - Laura
  - Code of Conduct – Diane/Trish
- Fine Schedule for Inspection defaults – Margie & Marc
- Tabitha - Property Manager Report

Old Business In Process

- Move Bench (IP)
- Medical Training Stroke (IP)

New Business

- Permit by Rule for Exterior Door Painting

Any Other Business

Adjournment

**“Alone, we can do so little; Together we can do so much”**

Helen Keller

**Silver Woods Community Association**  
**Exterior Door Color Permit-by-Rule**  
**April 2023**

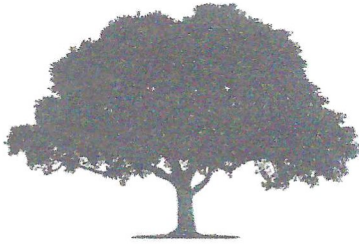
The purpose of this permit is to avoid the need for individual Silver Woods Architectural Review Committee ("SWARC") applications for changing the color of exterior doors that meet pre-approved design and construction specifications for aesthetics and functionality as presented below. If an Owner chooses a color that does not meet these specifications, an individual SWARC permit must first be obtained per existing declaration and architectural guidelines.

Specifications:

- Location – any exterior door of home
- Style – One solid color only is acceptable. Multi color doors are not.
- Approved Colors:
  - The original door color at the time of homeowner closing
  - If the color was changed after closing, then the existing **CA approved (by SWARC application)** color
  - The same color of the existing siding, shutters or trim of the home
  - Black

An individual SWARC permit is required as well as a town and/or county permit, if applicable, prior to any other external construction.

***It is the responsibility of the Owner to comply with all applicable laws and regulations.***



## Silver Woods Community Association

7 Luzerne Drive, Ocean View, DE 19970

[silverwoodsinfo@mediacombb.net](mailto:silverwoodsinfo@mediacombb.net)

### **Violation and Fine Policy Board Resolution**

#### **Silver Woods Community Association**

**Whereas** Section 6.2 of the Bylaws states that the Board shall have all of the powers and duties necessary for the administration of the affairs of the Association.

**Whereas** the purpose of this Policy is to establish fines to enforce the rules extracted from the governing documents of the Silver Woods Community Association (SWCA) and the Delaware Uniform Common Interest Ownership Act (DUCIOA) to preserve the character and quality of our community for the common good.

**NOW, THEREFORE**, be it resolved that any and all property owners that violate the governing documents may be subject to:

- Courtesy Notice

Written Notice (regular or electronic Communication with 14 days (date of letter) to respond/comply – if an extension is requested and approved for a reasonable reason a second notice will be issued upon expiration of extension date if issue is not rectified.

- First Notice

Letter with 7 days (date of letter) to comply sent to the authorized e-mail or legal address of the owner. Will receive a \$50 fine assessed to your SWCA account. Plus, any key fobs will be deactivated until issue is rectified.

- Second Notice

14 days after First Notice  
\$100.00 fine accessed to your  
SWCA account with Letter to property  
owner. Compliance immediately  
expected.

- Third and Subsequent Notices

14 days after First Notice  
\$250.00 fine accessed to your  
SWCA account with Letter to property  
owner. Compliance immediately  
expected.

The property owner is liable for any fines/violations that may occur, even when a unit is rented or occupied by a non-owner. The SWCA rules (attached) must be provided to any tenant. SWCA reserves the right to cure the violation if not addressed by the property owner at the property's owner's expense.

This policy was voted on and approved at the monthly meeting of the Board of Directors as noted below:

Date of Meeting Approval: May 2, 2023

Date Effective: June 1, 2023

Marjorie Beatty, President

Diane Seeger, Secretary

## Rules from Initial Governing Documents

Topic	Citation	Rule
<b>Lot Improvements</b>	RC Art.VI,Sec3	All improvements on a lot shall be in conformity with the Silver Woods Architectural Guidelines
<b>Trailers, RV's, Tents</b>	RC Art.VI,Sec4	Trailers, mobile homes, and tents to be used for dwelling prohibited at all times
<b>Home Businesses</b>	RC Art.VI,Sec5	"No-Impact" home offices only.
<b>Rentals</b>	RC Art.VI,Sec6	"Single Family "tenants only, provide copy of lease to HOA
<b>Lot Improvements</b>	RC Art.VI,Sec9	Seek SWARC permit for any proposed building, structure, improvement, fence, wall, erection, addition or alteration
<b>Signs and Advertising</b>	RC Art.VI,Sec12	No signs, notice or advertising of any nature or description without prior SWCA approval
<b>Garbage Receptacles</b>	RC Art.VI,Sec13	Garbage receptacles must be stored in the garage.(Note - SWCA Architectural Guidelines allow for outdoor "approved" garbage can enclosures, a SWARC permit is required before construction. See also Rules Adopted by SWCA below
<b>Storage Receptacles</b>	RC Art.VI,Sec14	No fuel tanks or similar storage receptacles may be exposed to view, may be installed within dwelling or buried in accordance with Silver Woods Architectural Guidelines
<b>Fences</b>	RC Art.VI,Sec16	No fence may be erected or allowed to remain except as provided by the Silver Woods Architectural Guidelines (permit required)
<b>Nuisance</b>	RC Art.VI,Sec17	"Unclean, unkempt, or unsightly conditions of buildings or grounds" prohibited. Livestock and non-domestic animals prohibited. Remove disabled and unlicensed vehicles within 15 days.
<b>Weeds, Trash</b>	RC Art.VI,Sec19	No noxious weeds or trash shall be allowed to grow or accumulate.

Topic	Citation	Rule
<b>Parking</b>	RC Art.VI,Sec21	"Long term and regular parking on community roadways is strictly prohibited". Temporary parking on community roadways not to exceed 48 hours. Parking on cul-de-sacs prohibited at all times.
<b>Exterior</b>	SW Arch. GuiArt.V.A.7.	No exterior appendages or apparatus such as (but not limited to) "antennas, towers, clotheslines, free-standing flagpoles, or yard decorations".
<b>Dog Kennels</b>	SW Arch. GuiArt.V.C.10.	"Dog kennels are not allowed."
<b>Colors and Materials</b>	SW Arch. GuiArt.V.C.11.	Exterior paint colors, color schemes, and materials used for exterior surfaces- Changes from initial colors and materials must be approved by the SWARC. See permit by rule for front doors

RC = Restrictive Covenant from Declaration

SW Arc Gui = Silver Woods Architectural Guidelines

### Rules Developed and Adopted by SWCA

Topic	Date Adopted	Rule
<b>Community General*</b>	April 12, 2021	Members are fully responsible for the actions of their guests, their guest's pets, tenants and tenants' pets.
<b>Community General*</b>	April 12, 2021	No hunting
<b>Community General*</b>	April 12, 2021	No discharge of firearms, air rifles or pistols.
<b>Community General*</b>	April 12, 2021	No routine storage of tools, materials, supplies, kayaks, grills, firewood, etc. in any location that is closer to an adjoining sidewalk than the home structure itself. This means that the living unit becomes the storage "setback" for all front yards, and for the side yards'bordering sidewalks for corner properties.
<b>Community General*</b>	April 12, 2021	No commercial dog or animal breeding
<b>Community General*</b>	April 12, 2021	Pets must be controlled and leashed at all times unless contained within a fenced area. Pet owners are responsible for the cleanup and disposal of excrement from their pets. With the exception of the grass strip between the sidewalk and street, dog walkers must prevent dogs from walking on or relieving themselves on the front, side or back yard of any property other than the dog owner's property.
<b>Community General*</b>	April 12, 2021	Common areas may be used by Silver Woods residents, and their current tenants and guests only.

Topic	Date Adopted	Rule
<b>Community General*</b>	April 12, 2021	Quiet hours are 11:00PM to 7:00AM. During this time there should be no loud activities or music that disturbs neighbors.
<b>Community General*</b>	April 12, 2021	No open burning of garbage or yard waste
<b>Community General*</b>	April 12, 2021	Rentals-Minimum allowable lease term for a living unit is 3 months.
<b>Community General*</b>	April 12, 2021	Pets-The maximum allowable combined number of dogs and cats maintained at any living unit is 3.
<b>Community General*</b>	April 12, 2021	The "Permit by Rule" allows for construction of trash container enclosures without an individual Silver Woods Architectural Review Committee (SWARC) application, provided that the enclosure complies with minimum prescribed material/construction standards as provided by the SWCA Trash Container Enclosure Permit document on the Silver Woods website (on website after rules adopted).
<b>Community General*</b>	April 12, 2021	Recreational vehicles and trailers may be parked in driveways for no more than 48 hours but, in accordance with existing restrictive covenant, may not be used as housing.
<b>Community General*</b>	April 12, 2021	<p>Choice Flag - Each living unit may display one non-political flag, banner or pennant of choice, attached to the living unit, at any time. During election seasons only, the choice flag, pennant or banner may reflect political content. Or if desired, a political sign may be placed in the yard in lieu of the Choice flag, banner or pennant. Per Ocean View Ordinance 140-63, "Political signs may be displayed no more than 60 days prior to a political event or election and shall be removed within seven days of the completion of the political event or election." Flags, banners, and pennants may not exceed 3'x5' dimensions. Maximum allowable political sign dimensions are 18"x24." Free standing flag poles are not permitted at any time.</p> <p>Second Flag - In addition to the Choice Flag, each living unit may display one US flag, attached to the living unit, not to exceed 3'x5' dimensions, in accordance with DUCIOA §81-320. The second flag must be a US flag only.</p>
<b>Clubhouse &amp; Pool</b>	April 12, 2021	Children under 16 years old must be supervised by an adult in clubhouse, gym and pool.
<b>Clubhouse &amp; Pool</b>	April 12, 2021	Trash must be removed after each use and leave space reasonably clean.
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No smoking inside the clubhouse pool deck, or within 20 feet of clubhouse and fenced pool area
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No removal of furniture from clubhouse or from pool deck.

<b>Topic</b>	<b>Date Adopted</b>	<b>Rule</b>
<b>Clubhouse &amp; Pool</b>	April 12, 2021	No pets (except service animals) allowed at anytime.
<b>Clubhouse</b>	April 12, 2021	Exercise room equipment users must wipe down equipment following each use.
<b>Pool</b>	April 12, 2021	No glass or breakable containers, dishes, or items that could shatter and leave fragments or shards.
<b>Pool</b>	April 12, 2021	No running or diving.
<b>Pool</b>	April 12, 2021	No personal radios or music devices, unless personal earphones are used.
<b>Ponds</b>	April 12, 2021	No entering of pond waters by residents for any reason other than maintenance. This includes, but is not limited to swimming, wading, boating, or walking or skating on ice.
<b>Ponds+ Drainage Swales</b>	April 12, 2021	Feeding of geese or ducks is prohibited.
<b>Ponds + Drainage Swales</b>	April 12, 2021	No adding fish or other life forms into ponds, pond banks or swales without prior approval from SWCA BOD to ensure addition is beneficial to pond health.
<b>Ponds+ Drainage Swales</b>	April 12, 2021	No disposing of yard waste, trash or other debris into ponds, pond banks or swales.
<b>Walking Trail</b>	April 12, 2021	No bicycles or motorized vehicles.
<b>Walking Trail</b>	April 12, 2021	Open sunrise to sunset. Closed sunset to sunrise.
<b>Walking Trail</b>	April 12, 2021	Open to Silver Woods residents and their current guests and tenants only.
<b>Walking Trail</b>	April 12, 2021	No smoking, no open flames.
<b>Walking Trail</b>	April 12, 2021	Pets must remain leashed.



## Silver Woods Community Association

7 Luzerne Drive, Ocean View, DE 19970  
silverwoodsinfo@mediacombb.net

### Silver Woods Leadership Code of Conduct

#### Silver Woods Community Association

More is expected of those in leadership roles and therefore, the Board of Directors (BOD) of Silver Woods Community Association (“Association”) has adopted the following **Code of Conduct and Communications Policy** (“Policy”) for the Association’s BOD and committee members effective as of June 1, 2023. This Policy is intended to set forth certain protocols and expectations relating to Board members’ fiduciary duties to the Association and is intended to help ensure that each Board member will act in a trustworthy, diligent, honest, and ethical manner while serving on the Board and/or as a committee member. Upon becoming elected or appointed to the Board, or appointed to a committee, each Board member and committee member shall be subject to this Policy. Each current BOD and committee member of the Association will be provided a copy of this Policy.

**A. Board Duties and Standard of Care:** The general fiduciary duties of the Association include but are not limited to complying with and enforcing the Association’s governing documents, including but not limited to the Association’s CC & Rs, bylaws, operating rules, and internal policies. Collecting and preserving the Association’s financial assets, including insuring against loss. Maintaining the common areas of the Association’s development in a state of good repair. As such, BOD and committee members should:

- a. Regularly attend BOD or committee meetings.
- b. Review, in advance, materials provided in preparation for BOD and/or committee meetings.
- c. Review the Association’s financial reports and make reasonable inquiries on agenda items and other items of business before making decisions and/or casting his/her vote.

**B. Professional Conduct:** BODs and committee members must conduct all dealings with third parties and others in good faith, in the best interest of the Association and in a manner that safeguards Association information. As such, no BOD or committee member shall:

1. No Private Gains or Self- Dealing.
  - a. Make any decisions that materially benefit themselves or their relatives at the expense of the Association.
  - b. Solicit or receive any compensation, financial or otherwise, from the Association, or any third party, for serving on the BOD or any committee.

- c. Negotiate or contract with any vendors, contractors, or service providers on behalf of or for the Association without prior express BOD approval.
  - d. Solicit or receive any material gift, gratuity, favor, entertainment, loan, or any other thing of value for himself/herself or their relatives from a person or company who is seeking a business or financial relationship with the Association.
  - e. Seek or obtain preferential treatment for himself/herself or their relatives through or because of membership on the Board or committee.
  - f. Use Association property, services, equipment or business for gain or benefit of himself/herself or their relatives in any material respect, except as is provided to all Association members.
2. Conflicts of Interest: A BOD or committee member who has a conflict of interest in any business or matters before the BOD shall be required to recuse himself/herself from all BOD discussions, deliberations and decisions involving such business.
3. No Release of Confidential Information: BOD or committee members are responsible for protecting the Association's confidential information, including both attorney-client privileged information and documents and executive session BOD meeting information and documents. As such, no BOD or committee member may:
- a. Use the Association's confidential information for the benefit of himself/herself or their relatives.
  - b. Share, disseminate any confidential information obtained as a Board member with any non-BOD member or third parties; other than agents, representatives, attorney of the Association who are bound to maintain the confidentiality of the information received.

Private or personal information includes private or personal information about any Association member or any property owner of the Association, any private or personal information about Association contractors and personnel, disciplinary actions against Association members, information regarding Association member's delinquent accounts, the negotiation and formation of contracts with vendors, contractors or service providers, and legal matters in which the Association is or may be involved. Discussion of pending legal matters with persons outside of the Board may constitute a waiver of the attorney-client privilege and result in the loss of legal protections of the Association.

4. Accuracy of Information: BOD and committee members may not knowingly misrepresent facts and should refrain from disclosing information when not fully informed. All Association data, records and reports must be accurate and truthful in all material respects and be prepared in a proper manner.

5. Professional Behavior: BOD and committee members are obligated to act with proper decorum during BOD Meetings and at any time they are conducting the business of the Association. As such, BODs and committee member must:

- a. Treat all members with respect.
- b. Conduct himself/herself with courtesy toward each other, vendors, contractors, service providers, Board members and property owners.
- c. Conduct and support the decisions of the Board regardless of personal opinion and shall not act unilaterally or contrary to the Board's decisions.
- d. Shall not harass, intimidate, humiliate each other, vendors, contractors, service provider, Board members and property owners.

6. Policy Against Tape Recording or Video Taping Board and Association Meetings:

Association member meetings are open to CA and POA Association members only. Members in attendance have the right to speak freely without the fear or intimidation of being recorded without their consent. Also, the BOD has the authority to adopt rules to regulate the conduct of the attendees. As such, it is the policy of the Board that the taping or recording of BOD or Association meetings by any persons is prohibited.

C. **Adherence to BOD Qualifications**: Each BOD shall be required to comply with any qualifications for BOD and committee members, as applicable, as may be set forth in the Association's election rules and/or Bylaws to the extent permissible under applicable law.

D. **Violation of Policy**: BOD or committee members who violate any of the provisions of this Policy shall be deemed to be acting outside the course and scope of their authority, and may be subject to discipline in accordance with the Association's governing documents, including, without limitation:

- a. Censure.
- b. Removal as an officer of the Board or removal as a committee member.
- c. Recall by the membership (for Board members).
- d. Legal action.

Notwithstanding anything in this Policy to the contrary, all committees, and committee members, shall at all times serve at the pleasure of the BOD.

**Affirmation:**

I have read and accept the Silver Woods Community Association Leadership Code of Conduct.

Print Name and Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Committee Charters are posted under their respective heading