

REGULAR COUNCIL MEETING JULY 2, 2007

7:00 P.M. meeting was called to order in the Council Chambers Mayor Joseph Brady presiding. Present were

Vice-Mayor-Larry Gum, Secretary- Irene Keenan, Treasurer- Robert Bryan, Councilpersons, John Thoroughgood, Michelle Truitt and John (Jack) Wilkins, Town Manager- Faye Lingo, Town Solicitor- Tempe B. Steen, Development Coordinator-Linda Johnson, Finance Director- William Sauer. Guests see attached.

Swearing in- of new council member Tim Hodges and a new term for John Thoroughgood.

Council reorganization- nomination for the new Mayor. John Thoroughgood makes a motion with a second by Jack Wilkins to nominate Larry Gum for Mayor. With no other nominations for Mayor a Thoroughgood motions with a send by Wilkins to close the floor for nominations. Motion approved unanimously.

New Mayor- Larry Gum was passed the gavel by Joe Brady and assumes the chair. Mayor Gum then presented a plaque to outgoing Mayor Joseph Brady in appreciation for his years of service to the town. Mayor Gum opens the floor with nominations for Vice Mayor.

Vice Mayor- Irene Keenan makes a motion with a second by Jack Wilkins to nominate Robert Bryan for Vice Mayor. With no other nominations Wilkins motions and a second by Thoroughgood to close the floor is carried.

Motion approved unanimously.

Secretary- A motion from Michelle Truitt with a second by John Thoroughgood to nominate Tim Hodges for secretary. With no other nominations for secretary Bryan motions and a second by Wilkins to close the floor for nominations. Motion approved unanimously.

Treasurer- a motion is made from Robert Bryan and a second by John Thoroughgood to nominate Michelle Truitt for treasurer. With no other nominations for treasurer Wilkins motions with a second by Bryan to close the floor for nominations. Motion approved unanimously.

President Pro-tem- A motion from Robert Bryan and a second by Jack Wilkins to nominate John Thoroughgood for President Pro-Tem. With no other nominations for president Bryan motions with a second by Wilkins to close the floor for nominations. Motion approved unanimously.

Committees- The personnel committee will remain the same with John Thoroughgood, Robert Bryan and Jack Wilkins. The Peninsula Crossing committee will change one member. The new committee for Peninsula Crossing is Jack Wilkins (chair), Robert Bryan, and Tim Hodges.

Secretary's Report- A motion from John Thoroughgood with a second by Jack Wilkins to accept the minutes as written from the June 4, 2007 council meeting. Motion approved unanimously.

Treasurer's Report- Treasurer Robert Bryan presented the bills and bank balances to council for approval. Thoroughgood motioned with a second by Wilkins to pay the bills from the designated accounts as presented. Motion approved unanimously.

Millsboro Fire Company- President Ray Burton reports that there were 34 alarms in the month of June. 12 auto accidents, 3 medical assists, 7 automatic fire alarms, 3 structure fires, 2 filed, 2 assists. EMS in May had 125 calls bringing the total to 718 year to date. July 21, 2007 a Beef and Beer benefit will be held at the Fire Hall.

Chamber of Commerce- Fran Bruce, Director of the Greater Millsboro Chamber of Commerce reported to council and has a request on behalf of the Garden Club. She asked that the council approve a \$500 donation to the Garden Club to assist in the enhancement of downtown Main St. The Garden Club currently doesn't have a tax ID number, therefore the Chamber is asking for this donation on their behalf. Currently there are seven (7) members of the Garden Club and they are still getting organized. The club will maintain the flowers with four (4) plantings a year. Fran says she has other verbal commitments from others for donations. Fran also informs the council that there have been eight (8) more benches sponsored. A motion by Thoroughgood and a second by Keenan to donate the \$500 with receipts for proof of purchase to the Chamber for the Garden Club. Motion approved unanimously.

Parks and Recreation- no report

Street Report- Thoroughgood met with the Department of transportation regarding the tree planting on the streets in town. Department of Transportation is concerned about drainage. It is taking a little longer but it is being looked into.

Faye Lingo tells about the North/South study and gives recommendations for the Blue Route.

Police Report-With Murphy absent a written report is in the council packet.

Water and Sewer- Mrs. Steen explains the two (2) Resolutions that the council has. Both Resolutions are related to the proposed referendum to borrowing for various capital projects and improvements including completion of the Wastewater Treatment Plant of the Spray Irrigation project that are already underway.

First Resolution is to authorize for the Town to borrow 36 million dollars and sending it to a Public Hearing. The proposed hearing is to be on Wednesday, July 18, 2007 @ 7:00pm at Town Hall council chambers. Mark Downes from CABA will be present at the hearing to assist with any questions that may be presented at this hearing. Step one is to get this process started. Anticipated borrowing is to be in part through State Revolving Fund-money already set aside. There needs to be authorization to borrow the 1.644 million dollars to complete the water treatment plant. It takes a referendum to borrow over a certain amount of money.

Second Resolution called the Reimbursement Resolution- any money the town spends in a certain time frame can be reimbursed by funds borrowed, later helps the town reimburse itself. Effective immediately

Robert Bryan gave a motion with a second by Jack Wilkins to take action in the Water/ Sewer Resolution for 36 million Dollars and set a Public Hearing. Motion approved unanimously.

John Thoroughgood motions with a second by Jack Wilkins to authorize reimbursement of the town expenditures from bonds. Motion carried.

#### MAYORS REPORT

Impact fee recommendations- Mark Downes, from CAFE, gave a handout to the council, looking to generate capital. There was an introduction of CAFE's newest employee- Carrie DeSimone. They are currently working on the financial assignment for the Town. Spray Irrigation is the latest alternative method of disposal. Total Wastewater upgrade and Spray irrigation will be estimated at \$40 Million Dollars. This is the largest dollar amount project the town has ever taken on. CAFE has proceeded with USDA application, for as much as a \$3 Million Dollar grant and a \$24 million dollar loan. There are preliminary engineering reports and detailed environmental reviews that have to be presented to the USDA. CAFE is hopeful that the USDA will review the information submitted by the end of August 2007. The State Revolving Fund is \$7.97 Million, State Tribal Assistance Grant is \$3.77 million, this leaves \$4.69 Million to the Town, some of which has been and will be collected through annexation fees, impact fees. This is the reason the council voted for the referendum. To help offset these costs; CAFE recommends increasing the following. 1) Impact fees to \$4500 per EDU, 2) Annexation fees to \$7500 per EDU, 3) Sewer user fees up \$1 per 1000 gallons. This will bring the rate to \$5.50. This is a 20% increase every quarter. The graph CAFE provided plots projected debt against projected revenue. Over time if the growth rate slows impact fees will have to be adjusted.

Patriots Landing- The annexation Committee Report was read to the council. This property joins the town through Betts Pond. It is zoned as MR. Tempe notes that there is missing deed information regarding correct parcels. Tempe lets the developer (C.T.) know she will be in touch with him for the missing information. Missing seems to be parcel 14 & 15 and to include the total acreage in this paperwork. The Town will be ready for this development in approx. 2 years. Bryan motions with a second by Thoroughgood to accept the committee report but no resolution for a Public Hearing until August until all the correct information is obtained. Motion approved unanimously.

Plantation Lakes- Craig Shannon and Eric Wahl were representatives for Plantation Lakes . The Clubhouse subdivision review - the plat plan was revised for the well lot and clubhouse lot- golf parcels #5 and #4 well lot were taken out and acreage adjusted. The well parcel shows the 40 x 40 feet around the perimeter and exceeds what the town requires. They are asking for approval on the revised plat plans and a final on the Clubhouse improvements. CABE and URS approvals were submitted to the town. Note: Each subsection will have to be reviewed with approvals. Wilkins motions with a second from Bryan to approve the final clubhouse section of the revised plans. Motion approved unanimously.

Patriots Landing- Tempe adds that we should annex the surrounding roads east of Rt. 113, as the police Dept. recommends also. This should be put into the Resolution. Wilkins motions with a second from Bryan to amend the pending annexation Resolution to include the roads as mentioned. Motion approved unanimously.

Trash- After all bids were received there would be no savings to the customer. The Town has administrative fees added and the customer would get a better price to contract with a trash service directly. With the handling fee the Town would charge there is no savings to pass along to the customer. Thoroughgood motions with a second from Bryan to discontinue the trash service. Thoroughgood also says to investigate this in the future for Town trash service again. Motion approved unanimously.

Indian River Senior Center- Ken Sharp- vice president of the IRSC asks council to waive the fees related to the building permit from the Town. Mr. Sharp informed council how they have raised very little money toward the new building. The County Council has helped with some money needed, but they are still looking for other funds. If these fees are waived this would help them to keep the money raised to go toward the building itself. Bryan motions with a second by Thoroughgood to approve the waiver of the

building permit fees for one (1) year. Motion approved unanimously.

St. Marks Episcopal Church- They have filed a variance for a sign and are asking that the fees for the variance be waived. After some discussion the council has decided to defer this. Ms. Steen states that the church can proceed with the variance and ask for a waiver at a later date if they wish.

Bryan motions with a second by Thoroughgood to defer this to a later date. Motion approved unanimously.

Wilkins motions with a second by Bryan to recess and enter an Executive Session, 8:15pm. Motion approved unanimously.