

THE TOWN OF MILLSBORO
REGULAR COUNCIL MEETING

August 4, 2008

7:00 P.M. meeting called to order in the Council Chambers, Mayor Larry Gum presiding. Present were Vice-Mayor Robert Bryan, Secretary Tim Hodges, Treasurer Michelle Truitt, Councilpersons John (Jack) Wilkins, John Thoroughgood, Irene Keenan, Town Manager Faye Lingo, Town Solicitor Tempe B. Steen, Development Coordinator Linda Johnson, Finance Director William Sauer. Guests see attached.

SECRETARY'S REPORT - Secretary Tim Hodges presented the minutes from the July 7, 2008 council meeting for Council's approval. Thoroughgood motioned, Bryan second to approve the minutes from the July 7, 2008 council meeting as written. Motion approved unanimously.

TREASURER'S REPORT - Treasurer Michelle Truitt presented the bills and bank balances to Council for approval. Bryan motioned, Wilkins second to pay the bills from the designated accounts as presented. Motion approved unanimously.

MILLSBORO FIRE COMPANY -President Ray Burton gave the monthly report to Council. He reported that ambulance service will be available with an assistant on duty at the Hispanic Festival August 24th. The Fire Department once again wanted to thank the Town for the distribution check they received for fire and ambulance. There were 228 alarms answered by the Fire Department by the end of June with 1,514 miles traveled. In July 41 alarms have been responded to. The EMC have responded to 166 calls by the end of June with a yearly total of calls responded to so far of 838. They have traveled 27,253 miles on ambulance calls. The hazmat trailer was used to assist Georgetown at an accident on Rt. 20 by the landfill. The Fire Department dive team assisted Roxana and Selbyville responding to a drowning victim.

CHAMBER OF COMMERCE - Chamber of Commerce Director, Fran Bruce, was not present for report. Ms. Bruce did request that funds budgeted by the town for the Chamber to use towards Big Thursday be released now to use for Big Thursday expenses. Council had set aside \$2,500.00 for Big Thursday with the understanding that it would come back to council to be approved prior to actually releasing the funds. Bryan motioned, Thoroughgood second to approve the \$2,500.00 budgeted for Big Thursday to aid economic development be released prior to Big Thursday, August 14-16, 2008. Motion approved unanimously.

STREET REPORT - No report

PARKS AND RECREATION - Cupola Park stage construction- Six quotes were received with the highest bid being from Wesley Collins Builder for \$35,988.74 and the lowest bid from Branch Construction for \$19,500.00. Thoroughgood motioned, Bryan second to approve and to award the contract for stage construction at the Cupola Park to Branch Construction at a cost of \$19,500.00. Motion approved unanimously.

Hispanic Festival 2008 - The 2008 Hispanic Festival is scheduled to take place at the W.B. Atkins Park on August 24, 2008 from noon until 6:00 PM. They are once again expecting a large attendance.

"Croonin at Cupola" - Two events are scheduled for entertainment at the Cupola Park. One will be on Sunday August 24th and the other on Sunday August 31st, 6:30 PM until 8:30 PM. Scheduled to perform on the 24th is the band 2nd Alarm with our own Kenny Niblett and Jamie Parker. On the 31st Cathy Gorman is scheduled to perform. There will be no rain dates for either of these performances. These two events are being sponsored by Goin Postal. Thoroughgood motioned, Hodges second to approve the two Sunday evening entertainment events at the Cupola Park as described above. Motion approved unanimously.

"Java Jammin" - The Indian River Senior Center will sponsor a Java Jammin on August 18th at the Civic Center. The Jones Boys will be performing.

POLICE REPORT - Cpl. Wheatley conducted firearms training for the department on June 30 - July 1.

Det./Cpl. Legates taught NHSTA/SFST's course to recruits at the DSPTA July 7-11.

Det./Cpl. Legates attended a Taser instructor recertification course in Salisbury, MD July 21-25.

Cpl Wheatley assisted with recruit firearms instruction at the DSP Range July 31-August 1.

Planning for security has been completed for the 5K Run, Big Thursday and the car show. Officers have been assigned to work these events.

The Christmas parade is on the schedule and officers have been assigned to work the event. On July 18th we conducted a DUI checkpoint, 997 vehicles passed through the checkpoint. One DUI arrest was made. The next checkpoint is scheduled for August 16th.

WATER REPORT - Change order for water treatment contract (well pump #5)

A change order needs to be approved for switching the voltage of well pump #5 to accommodate the power requirements being supplied to the treatment facility. There will also be a labor charge for switching the pumps as well as the cost difference between the 230V pump and 480V pump needed. An approval is needed from council to issue a change order to UNI-Tech Drilling Co. Wilkins motioned, Hodges second to approve the change order for the water treatment contract for a higher voltage pump at the increase cost of \$2,800.00. Motion approved unanimously.

Public Works New Hire-The budget allowed for a new hire in the Public Works Department. Council needs to approve posting this position. Bryan motioned, Wilkins second to approve the posting of the new hire position for the Public Works Department. Motion approved unanimously.

WASTEWATER REPORT - No report MAYOR'S REPORT

Wharton's Bluff- They have made application for preliminary plan approval with RPC zoning. The committee met with the applicant on July 24, 2008 and their report is to move forward allowing the RPC zoning and to allow the applicant to pursue final approvals. David Rutt of Moore & Rutt and Tom Ford were present to explain the plan and answer any questions Council might still have. A booklet was given to each Council member detailing legal issues, easements, HOA Docs, DelDot issues and other information detailing the new section. There will be 49 units constructed on an additional 10.55 acres which is 16 units less than originally planned for. Some amenities that will be provided are almost two miles of walking paths, pool and a crabbing pier. It was decided that a Tot Lot would be built on this addition also and the amended plans showing this addition have been submitted. Natural areas will be retained and flood zone issues will be above the 100 year flood zone as recommended. After some discussion Wilkins motioned, Thoroughgood second to hold a public hearing on September 2, 2008 to consider amending the Zoning Ordinance Map and approve the Preliminary Site Plan for Wharton's Bluff, Parcel B, to add an additional 10.55 acres, more or less, to the already existing HR-Residential Planned Community (RPC) located on south State St. - also known as Iron Branch Road, tax map number 1-33-17.00 parcel 16.02. Motion approved unanimously.

Lowe's Construction Hours - Lowe's is asking for work hours to be extended while they pour concrete to begin at 4:00 AM instead of 7:00 AM and to continue until the pour is completed which could be beyond 7:00 PM. Thoroughgood motioned, Wilkins second to extend the work hours to begin at 4:00 AM, two days maximum, for the pouring of the concrete floor at the Lowe's work site. Motion approved

unanimously. Conditional Use/332 Main St - John H. Parker, Sr. has requested a conditional use renewal for apartment #2, located over the warehouse located at 332 Main Street. As there have been no complaints or objections to this usage in the past year Bryan motioned, Truitt second to approve the resolution to extend the conditional use of John H. Parker, Sr. for a second conditional use for a second single family dwelling/apartment over an existing garage as a second accessory use at 332 Main Street for one year. Motion approved unanimously.

Firehouse Substation - Council discussed what the next step in the process of constructing a new Fire Substation as part of the Special Development District funding package would be for the town. After some discussion it was decided to move forward with the process by appointing a committee to meet with Fire Company representatives to discuss the process involved and to also suggest the size for the new Substation. Mayor Gum appointed Thoroughgood/Chairman, Bryan and Hodges to sit on this committee.

Town Hall renovations - Council was informed that the cost of hiring an architect to design updates to the existing Town Hall/Civic Center was part of the budget this year. The Senior Center is scheduled to move out of the Civic Center in early 2009. Council will need to approve advertising for an architect. Thoroughgood motioned, Bryan second to advertise for an architect to design updates to the existing Town Hall/Civic Center. Motion approved unanimously. Mayor Gum appointed Bryan/Chairman, Thoroughgood and Hodges to sit on a committee to meet with the architect hired and to discuss proposed design updates.

President Pro-Tem Appointment - At the reorganization of Council in July Council did not name a President Pro-Tem. For the last two years John Thoroughgood has been appointed to fill this position. Bryan motioned, Hodges second to nominate and appoint John Thoroughgood to fill the position of President Pro-Tem for the 2009 fiscal year. Motion approved unanimously.

September Council Meeting - A reminder was made to Council and those in attendance that due to the Labor Day Holiday on Monday, September 1, 2008, the September Council meeting will be held on Tuesday, September 2, 2008.

Employee Life Insurance - The Personnel Committee has recommended the town add life insurance to employee benefits. Several bids were received with the committee recommending The Hartford Company. Bryan motioned, Thoroughgood second to approve the Hartford Insurance Company for employee life insurance at a monthly premium of \$262.68 and an annual premium of \$3,152.16 cost to the town and to amend the Town's personnel policy to add and include life insurance as a new employee benefit. Motion approved unanimously.

Hodges motioned, Thoroughgood second to recess the Regular Council meeting at 7:35 PM and to enter into an Executive Session at 7:45 PM to discuss legal and personnel issues.

Respectfully submitted,

Tim P. Hodges Secretary