

Minutes

Millsboro Town Council

Regular Council Meeting

December 7, 2009

7:00 pm meeting called to order with Mayor Larry D. Gum presiding. Present were Vice Mayor Robert Bryan, Secretary Tim Hodges, Treasurer Michelle Truitt, Council Person John Thoroughgood, Irene Keenan and Greg Hastings, Town Solicitor Tempe B Steen, Town Manager Faye Lingo, Development Coordinator Linda Johnson, Finance Director William Sauer and Town Clerk Tammy Phillips. Guests see attached.

SWEARING IN: Irene Keenan was sworn in to formalize her continuing position as town council person. Although she had submitted her resignation from the Council during the late summer, the Council had taken no action. Her position continued and she was reelected when no one filed for her position. Irene's term was renewed as of July 29, 2009. Town Manager, Faye Lingo, administered the oath.

DELMARVA POWER- Jim Smith gave a presentation on MAPP 500 kilovolt transmission line from North Virginia -Chesapeake Bay - East Dorchester to Indian River Power Plant. The transmission line will not run through town limits. Mapp greatly improves the reliability of the electric system, reduces the cost of energy by reducing congestion on the system, and provides greater access for renewable generation. There is insufficient transmission capacity to meet demand by 2014. The Peninsula is isolated from power sources on the Western Shore and cannot import enough power in the event of an emergency. Customer energy use is expected to grow over the long term even with aggressive energy efficiency and conservation programs. They have already started putting in digitized meters on the Delmarva Peninsula to help consumer conserve electricity. No council action necessary.

CABE ASSOCIATES - Mark Downes presented a synopsis of the ACEC's 2010 Grand Conceptor Award they received for The Town of Millsboro 2009 Wastewater Treatment Plant Improvements Project.

SECRETARY'S REPORT - Hodges presented the secretary's report. Thoroughgood motion, Keenan second to approve the minutes as written, approved unanimously..

TREASURER'S REPORT - Truitt reported the bills had been reviewed and are presented for payment. Bryan motion, Hastings second to approve paying the bills from the designated accounts, approved unanimously.

AUDIT REPORT - Sheldon Forney, of Jefferson, Urian, Doane and Sterner, reported on the audit for the fiscal year ending June 30, 2009. The town's liabilities and assets were presented to Council with important areas reviewed by Mr. Forney. He explained that the Executive Summary found on pages 3-7 was divided up between water, sewer and governmental activities. He also explained the comparison between 2008 and 2009 revenues and expenses found on page 6 of the audit report. He reported the audit shows the town is in a strong financial state as of 6-30-09. Bryan motioned, Thoroughgood second to approve and accept the audit report as presented by Jefferson, Urian, Doane and Sterner for the fiscal year ending June 30, 2009, approved unanimously.

CHRISTMAS BONUS - Council discussed approving a Christmas bonus to all employees this year in the amount of \$100.00. Truitt motioned, Hodges second to approve Christmas bonus and approved unanimously.

PARK AND RECREATION - None

MILLSBORO FIRE COMPANY - Mayor Gum presented the monthly report. Two members of the Fire Company Took part in training this past week on the new State of Delaware Electronic Pension Program. The new system will allow authorized members from each Fire company to submit Fire Fighter pension and enhanced annual billing information on-line, allowing for a more streamline process. The Pension Program applies to both Fire Company and Ladies Auxiliary members who meet the requirements specified by each individual organization as well as the State of Delaware.

Many members of the Delaware Volunteer Firefighters Association have been invited to a reception to be held at the residence of Vice President Biden on Sunday, December 13. Vice President Biden has always been a big supporter of the volunteer Fire Service in Delaware and this reception is an opportunity for the DVFA leadership to speak with Vice President Biden concerning issues effecting our organization.

The DVFA is urging all the Delaware Fire Companies to become more active in voter registration, making sure their members and families are registered by upcoming elections. Three different training sessions will be held throughout the state beginning in January, with Millsboro hosting a session on January 20, 2010. One designated person from each station will be required to attend these sessions to gather voter registration information.

The Fire Company is in negotiations with AT&T on a new lease agreement, for the tower which resides on the Fire Company's property on Monroe Street. The current lease expires in May 2010. The new lease would call for a 15 year agreement, broken in 3-5 year increments. The Fire Company has also been approached by the Eastern Shore Natural Gas Company, which is proposing the placement of a regulator station on that property as well. Plans are for representatives from Eastern Shore Natural Gas to attend a Board of Directors meeting in early January to explain the proposal and to take questions from the Fire Company.

GREATER MILLSBORO CHAMBER OF COMMERCE - None

MILLSBORO POLICE DEPARTMENT - Chief John K Murphy II, reported that on 11/9/09 Detective Forester and PFC Ober attended Drug Investigation @ DSPTA. Lt. Calloway continues working with CALEA files. The Christmas parade was cancelled due to increment weather. No checkpoints for November. No council action necessary.

STREET REPORT - No Report

WATER AND SEWER REPORT

Beneficial reuse contract E award, Mark Downes from Cabe Associates reported bids were opened December 3, 2009 @ 3:00 pm at The Town of Millsboro Council Chamber. The bid was awarded to Daisy Construction from Bear, DE. They were the lowest bid and there were no errors in the bid contract, pending approval from USDA, contract has to be signed before February 17. The contract calls for wastewater force main to be laid with the beneficial reuse water transmission line. The wastewater force main costs will be reimbursed by developers through future impact fees. Millsboro Middle School will have underground irrigation pipes and possibly be ready by Spring 2011. Additional costs may include flow meters and underground pipe for the Millsboro Middle School. Theses additional costs may total \$ 100,000 and Cabe is applying for grant funding for theses costs. Special fiber optic lines are to be laid at the same time for Radio communication between sites. Construction is to begin early Spring, and work around Millsboro Middle School during the Summer and around W. B Atkins Park year around. Future Public Hearing will be held regarding Millsboro Middle School and W. B. Atkins Park for Beneficial reuse contract E award. Hodges motion, Bryan second to approve subject to funding approval, and approved unanimously.

USDA Resolution, authorizing the loan closing for the ARRA funding of \$250,000.00 principal amount general obligation bond, series 2009-ARRA/GPR-SRF to The DE Dept of Natural Resources and

Environmental Control Water Pollution Control Resolving Fund, as registered owner, to finance a green wastewater reuse for the Town of Millsboro. Hodges motioned, Bryan second to approve project at 0 percent interest and no interest upfront, approved unanimously.

MAYORS' REPORT

Building Fund Impact Fee, resolution explaining guidelines and time frames, council action necessary. Resolution needs to be amended to clarify impact fee relief for building permits issued from Nov 3, 2009 to Nov 3, 2010. Projects that have not been completed prior to the building permit's expiration date and require a renewal will incur the forgiven impact fees at renewal if substantial work has not been completed on the project. Thoroughgood motioned, Hodges second to approve substantial completion of the project within the year, approved unanimously.

Building Committee Report, Thoroughgood stated that the committee has made a decision on the architect, Davis, Bowen & Friedel of Milford, DE. No contract has been signed and they are the lowest bid for the renovation design of Town Hall & Civic Center. Truitt motioned, Keenan second to approve Davis, Bowen & Friedel for renovation, approved unanimously.

Otter Branch Development, Barr, LLC, property owners, Tax Map 1-33-17.0066.00 and 67.00 has requested an extension on its Preliminary Plan due to existing economic climate. Council members noted that they had not yet seen any development of this property. Thoroughgood suggested one year from December 7, 2009. Thoroughgood motioned, Hodges second to approve extension, approved unanimously.

8:35 pm Bryan motion, Hastings second to recess and enter into executive session at 8:40 pm to discuss legal and personnel matters, approved unanimously.

REGULAR SESSION

10:00 pm meeting called to order, Mayor Gum presiding. Present were Vice Mayor Robert Bryan, Secretary Tim Hodges, Treasurer Michelle Truitt, Council persons John Thoroughgood, Irene Keenan and Greg Hastings, Town Solicitor Tempe B Steen, Town Manager Faye Lingo and Town Clerk Tammy Phillips.

Hodges moved, seconded by Hastings to authorize the Town Manager to finalize the forfeiture documents with Police Chief John Murphy, approved unanimously.

10:05pm Keenan motion and Truitt second to adjourn the council meeting, approved unanimously.

Respectfully submitted,

Tim P. Hodges

Secretary