

## MINUTES

DECEMBER 6, 2010

### MILLSBORO TOWN COUNCIL

Regular Council Meeting

322 Wilson Highway

Millsboro, Delaware

7:00 pm meeting called to order with Mayor Larry D. Gum presiding. Present were Vice Mayor Robert H. Bryan, Secretary Greg Hastings, Treasurer Michelle Truitt, Council persons John Thoroughgood, Irene Keenan, Tim Hodges, Town Solicitor Mary Schrider-Fox, Town Manager Faye L. Lingo.

PUBLIC HEARING - is still open for the zoning change for property described as Sussex County Map no. 1-33-17.17 parcel 70.00 also known as 340 Old Landing Road. Currently zoned MR - Medium Density Residential and is asking for a change to HC - Highway Commercial. The hearing was opened November 1 St and is still open pending comments from the State. The applicant ant Faye went to Dover for PLUS Review by the Office of State Planning on November 2e. There were not any unfavorable comments made at that time but all of the agencies had not sent in their comments by the date of the review and they are to be sent to us within three weeks. If there are not any further questions or comments from council or the floor Mayor Gum asked to close the hearing. Thoroughgood, motion, Bryan second to close the hearing with no further action, approved unanimously. The zoning change will be on January 2011 agenda to review state comments and to take action.

SECRETARY'S REPORT Bank Balances, no action

Bills, Treasurer Truitt presented the bills for payment. Hodges motion, Bryan second to pay the bills from the designated accounts, approved unanimously.

Audit - Sheldon Forney from the firm Jefferson, Urian, Doane and Sterner will present the audit for the end of the year June 30, 2010. The auditor's report expresses an unqualified opinion on the basic financial statements of The Town of Millsboro. Also they reported that report on compliance for the major federal award programs for the Town expresses an unqualified opinion on all major federal programs. The town did not qualify as a low-risk auditee. Page 41

Mr. Forney walked through the audit report explaining the different pages, their content. Report shows the cash in a strong position but a reminder that the town's debt is growing. The town conservatively

budgeted this year which is smart accounting especially in this economic climate. Mr. Forney did warn that the town may eat away some of its reserve if there is not another wastewater user fee increase in the near future.

Bryan motion, Thoroughgood second to accept the audit as presented, approved unanimously.

#### MILLSBORO FIRE COMPANY

Ron O'Neal, President of the Millsboro Fire Company could not be here tonight but did send his best wishes to the council for a Happy Holiday.

#### GREATER MILLSBORO CHAMBER OF COMMERCE

Amy Simmons, Clerk for the Chamber office, reported that the Christmas parade went well and thanked the council for their support with a special thank you to the public works department and the Mayor who helped paint Santa's House. Santa's Shop had 34 vendors and everyone seemed pleased. The next event is the Bridal Show and Faye had advised them that due to the proposed construction there would not be any more rentals after April 2011 until construction completed.

#### MILLSBORO POLICE DEPARTMENT

Chief Murphy asked to be excused from tonight's meeting and his report is in the packet.

#### WATER AND SEWER REPORT

Mayor Gum reported that the closing for the USDA loan took place for the 5.7 million. Also, the problem we have been having with water discoloration should be clearing. The water department has been making some changes and adjustments and believes they have found the problem.

#### MAYOR'S REPORT

CABE Assoc. has submitted an amendment to the engineering agreement for the water supply and treatment improvements, first year operations assistance. This is for the on site assistance during the start up. Town legal counsel has not had time to review the documents and give a legal opinion. Mayor Gum suggested council wait for legal counsel comments.

CABE Assoc. has submitted an engineer service agreement to assist with the environmental appeal. Mayor Gum again suggested that council wait for legal counsel opinion.

CONDITIONAL USE - Mr. Parker has submitted a renewal application for conditional use for apartments in an Urban Business Zoning District. There are two apartments on the same property of an existing business. The last renewal period we asked that the two permits be put on the same schedule instead of doing one at a time. The town office has not received any negative comments. Mayor Gum asked if there was anyone present to object to the permit. With no objections, Bryan motion, Truitt second to approve the two conditional uses for 332 Main Street as applied, approved unanimously.

WHARTON'S BLUFF - This was on the agenda for dedication of phase B and the reduction of their bond and line of credit for maintenance. There are still some details to work out for the dedication and the bond reduction can be handled by staff and has been approved. This will come back on the January 3, 2011 agenda. No action this evening.

New Hire, Mayor Gum hold until executive.

CDBG - last month council selected to be included on the Sussex County application for scattered housing rehab. We need to set a date and time for a public hearing, January 3, 2011 at 7:00 pm. Sussex County will handle the advertisement and will be here next month to give the presentation. Hodges motion, Bryan second to set the date and time for the public hearing, January 3, 2011 at 7:00pm., approved unanimously.

VACANT POSITION - Mary Scott, accounts payable is retiring as of December 31st. Does council want to post the position vacancy and fill that opening? Bryan motion, Thoroughgood second to approve and post the position vacancy, approved unanimously.

ZONING CHANGE - public hearing closed earlier in the meeting and council is going to wait for state comments before they take action. Will appear on January 2011 agenda.

7:30 pm Bryan motion, Thoroughgood second to take a ten minute recess and enter into executive session, approved unanimously.

REGULAR SESSION RECONVENE

8:35 pm regular session called to order.

Vacant position, assistant town manager - Bryan motion, Hodges second to authorize the town manager to offer the position to the applicant that was recommended by the personnel committee for the position of assistant town manager, approved unanimously.

Parkson - Hodges motion, Keenan second to amend the agreement with Parkson as discussed in executive altering points numbered six and seven, approved unanimously.

8:45 pm Thoroughgood motion, Bryan second to adjourn, approved unanimously.

Respectfully submitted,

Greg Hastings, Secretary