

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MEETING MINUTES
AUGUST 23, 2012**

ATTENDANCE

PRESENT: Mayor Kathy Jankowski; Councilpersons Al Rae, Jim Gross, Pat Voveris, and Sue Callaway; Town Manager Melvin Cusick; and Code Enforcement Constable Pete Brockstedt

EXCUSED ABSENCE: Councilpersons George Junkin and Mark Damato

MEETING CALLED TO ORDER

Mayor Jankowski called the August 23, 2012, Town Council Workshop Meeting to order at 5:00 p.m.

PUBLIC COMMENT PERIOD

There were no comments from the public.

DISCUSSION OF DRAFT ORDINANCES

- **Discuss changing "insurance certificate" to "elevation certificate" in §§ 42-6 and 145-68B of the Town Code**

John Fields, Charter and Code Committee Chairman, stated that he believes a mistake was made when these sections of the Code were updated and "insurance certificate" was typed instead of "elevation certificate". Mr. Fields noted that it will be an easy ordinance to run through the three readings and get the change on the books.

The Code Enforcement Constable explained that he was requested to issue a certificate of occupancy at a project that falls into the category of substantial improvement. When the Code Enforcement Constable requested an elevation certificate from the property owner, the property owner refused to do so because § 42-6 of the Code states that an insurance certificate is required rather than an elevation certificate.

Stating that Chapters 42 and 145 are a mess in his opinion and rather than making the corrections by piecemeal, Councilman Gross made a motion that Council send this back to the Charter and Code Committee and ask them to correct the discrepancies, to clarify the intent, and to put building requirements and zoning requirements in the proper place in order to improve the understanding and usability of the Town Code. The motion was not seconded. The following are comments made by Councilman Gross regarding additional changes needed to Chapters 42 and 145:

- § 42-6 is really about zoning not building.
- The requirement for a building permit should be in Chapter 42, Building Construction, rather than in Chapter 145, Zoning.
- Should renovations require a surveyor's certificate particularly if there is no change in the footprint of the building? (Councilman Gross referenced putting in a sidewalk.)
- There are several amendments to Chapters 42 and 145 and many of those amendments had specific additions. If people are made to do what the Code says, there will be problems with every remodeling in South Bethany.

It was agreed that the Charter and Code Committee will prepare the two ordinances in final form for first readings at the September Town Council Regular Meeting (only changing insurance certificate to elevation certificate). Mr. Fields noted that the ordinance regarding § 145-68B will require a public hearing in addition to the three readings. Councilman Rae will sponsor the two ordinances.

Councilman Rae stated that Councilman Gross' suggested revisions should be added to the Code Enforcement Constable's list of suggested code changes. The Code Enforcement Constable stated that some of them are on the list already. Mayor Jankowski stated that these chapters can be added to the Code Enforcement Constable's list to review and rewrite.

- **Review of Town Code § 145-35K – Number of Bathrooms Permitted**

Mr. Fields stated that under the current code no more than four bathrooms are allowed in any residence in town. He added that the Council has received a request from South Bethany property owner Frank Davey for the Council to change the Code so that it will allow 5 bathrooms in a single family residence. Mr. Fields stated that the Charter and Code Committee does not have a recommendation for Council at this time concerning this request, however the Code Enforcement Constable will give his perspective and Bob Cestone will present the history of the current ordinance.

The Code Enforcement Constable's comments:

Regarding Mr. Davey's request to permit a half bath on the ground floor, the Code Enforcement Constable stated that most of the area west of Route 1 is below the flood level anywhere from about one foot to three feet. A bathroom would not be permitted at ground level at these locations unless the ground level floor itself was elevated above the base flood elevation which could have an effect on the height limitation and roof pitch limitation. The Code Enforcement Constable stated that during inspections he has done prior to issuing a Certificate of Occupancy he has had to require that three half bathrooms be removed from constructed houses that were in violation of Town Code § 145-35K (Maximum number of bathrooms and kitchens). To correct this problem, the Code Enforcement Constable stated that currently he does inspections at the time of the framing and when the rough-in plumbing work is being done to make sure that there are only four plumbing connections for bathrooms.

Mr. Cestone gave a history of the current ordinance. It started in the mid 1990s to late 1990s when the Town was getting complaints about overcrowding. People were also complaining about big houses ("McMansions") being built. Mr. Cestone noted that two big houses that people referred to as hotels had been built on S. 1st St. One of those houses has nine bedrooms, nine and a half bathrooms, a kitchen, a dining area, and a living area. Mr. Cestone said that is literally a hotel. It was legal at the time. Mr. Fields said the problem with building those kinds of houses is the community is no longer a single family community when you have "mini motels". The other beach towns were getting the same complaints. There are newspaper articles in the file which reported communities in the Washington DC area that were having the same problem. Mr. Cestone recalls that the biggest complaint was on the number of people in the houses. About the same time, the Town sent out the Comprehensive Development Plan Public Opinion Survey to property owners and some of the biggest concerns from property owners from the survey were over population, crowds, noise, etc., which was written into the Comprehensive Plan. Mr. Fields added that the idea in the Comprehensive Plan was to keep South Bethany a family place. Mr. Cestone stated that at the time, the Council addressed all of the issues and went over it in detail. There were a lot of property owners against the ordinance. After Council enacted the law, property owners got enough signatures to require a referendum. It went to referendum. It was not overwhelming, but a majority of people in the town supported the law.

Mr. Cestone's personal opinion is to leave the ordinance alone. It was backed up by the people. He believes the appropriate course of action for property owners with justifiable reasons wanting more bathrooms would be to file an appeal with the Board of Adjustment.

After discussion, a motion was made by Councilman Gross, seconded by Councilwoman Voveris, that Council leave the Code as it is in respect to this matter relative to the bathrooms. Mayor Jankowski asked for a roll call. The voting was as follows:

FOR THE MOTION: Mayor Jankowski and Councilpersons Gross, Voveris, and Callaway

AGAINST THE MOTION: None

ABSTAINED: Councilman Rae

The motion carried with a 4-0 vote.

A motion was made by Councilwoman Voveris, seconded by Councilman Rae, to move the ordinances regarding changing "insurance certificate" to "elevation certificate" in §§ 42-6 and 145-68B to a first reading. The motion carried with a 4-1 vote. Councilman Gross voted against the motion.

BUDGET AND FINANCE COMMITTEE REPORT (Pat Voveris)

The drop box, which is like a file cabinet in space, is successfully in place.

Rentals – The Town has 261 rental licenses this year. Last year the Town had more than that but fewer than 300. 56% of the rental licenses are generated on the bay side and 44% of the rental licenses are generated on the ocean side. Once the rental tax is collected this fall, the Budget and Finance Committee will do an analysis to show what the difference is from last year to this year. Last year 73% of the revenue came from the ocean side.

Property taxes – the Town is down to only 18 delinquent owners for an amount of \$11, 551.

Referring to the Tonnage Report on trash, recycling, and yard waste, Councilwoman Voveris stated that the Town is down significantly this month versus the same period last year – 9% lower in trash, 26% lower in recycling, and 25% lower in yard waste.

THE ANNUAL PLANNING COMMISSION REPORT TO COUNCIL (Jim Gross)

The following Planning Commission Annual Report, which covers the 2011 calendar year, was submitted to Council from Richard Oliver, Planning Commission Chairman:

- One partition hearing was held and the application was approved.
- One meeting was held to discuss planning for the 2012 Comprehensive Plan 5 year update.
- One meeting was held to discuss the feasibility, technical and legal problems, and costs associated with creating a town operated Wi-Fi site.
- One training session was held to train the commission members in developing CP plans. It was conducted by Bryan Hall, Chief Planner, State of Delaware. Mr. Hall also provided the Town with copies of the PowerPoint presentation he used in the training session and which outlines the requirement.

COMPREHENSIVE PLAN FIVE-YEAR REVIEW (Jim Gross)

Mayor Jankowski thanked the Planning Commission for their work on the Comprehensive Plan (CP) five-year review. She stated that she knows the process Council will go through today is to

update the 2006 CP to meet the State obligation. However, Mayor Jankowski believes the Town's Comprehensive Plan needs to be taken to a higher level, and she believes it is the responsibility of both the Town Council and the Planning Commission to come up with a working Comprehensive Plan. Mayor Jankowski recommends that the Town update the latest version of its Comprehensive Plan. Mayor Jankowski suggested that Council review Millsboro's and Bethany Beach's Comprehensive Plan which are on the State of Delaware website. Council agreed to deal with the five-year review at this meeting and then start another process to do something more comprehensive.

The 2012 South Bethany Comprehensive Development Plan Review is attached.

The following suggestions were made (excerpts from the Planning Commission's 2012 South Bethany Comprehensive Development Plan Review are in blue with additions **highlighted** and deletions **marked through**):

Page 1 (Five-Year Review):

Vision Statement

~~To continue to develop the Town into~~ **Retain the characteristics of the Town as** a well-maintained, single family community serving ~~residents~~ **property owners and visitors** with an inclusive, transparent and responsive government, and an infrastructure that is committed to the enhancement of a safe, healthy and attractive lifestyle, while preserving and improving its natural and man-made assets. (Council agreed)

Councilman Gross stated that they took out "visitors". Councilman Gross believes "visitors" should be put back in. Councilwoman Voveris stated that the vision statement reads more like a mission statement than a vision statement and it doesn't address anything about businesses or visitors.

Page 1 (Five-Year Review):

Page 7, Introduction:

Replace the last paragraph on Page 7 with the following:

A resource for this Plan was the South Bethany community survey approved on March 11, 2011 by the Town Council and completed with compiled results in July, 2011. A copy of this Community Survey can be found in Appendix A.

Councilman Gross stated that it isn't only the survey that was the basis for this Plan. Council agreed.

Page 9 of the CP: Implementation Strategies

Council discussed possibly deleting "Modify Code to require garbage can bins throughout the Town."

Councilwoman Callaway noted that in the comments Councilman Junkin submitted he states that the Code was modified to require garbage bins if the cans are kept at the roadside.

Councilman Rae believes the statement should stay in because he does not believe the Town is there yet. Councilwoman Callaway suggested adding "although the Code was modified to require garbage can bins if trash cans are left at curbside."

Pages 1 & 2 (Five-Year Review):

Page 9-10, Replace Infrastructure and Environment Implementation Strategies with:

Infrastructure

- ~~Continue to~~ Control storm water along Town streets as recommended in the 1995 report issued by George Miles & Buhr Architects (GMB) & Engineers to minimize flooding and allow some time for storm water to be absorbed by the ground
- Document existing drains; ensure they are not plugged and utilize perforated pipe to allow storm water to be absorbed by the ground
- Request input from homeowners on specific problem areas
- Encourage homeowners to fill low spots or build rain gardens and grade toward property lines
- Consider check valves in drains to prevent backflow during high tides
- Accept flooding during high tides. If roads are raised, then property flooding would increase
- Consider replacement of existing street lights with fixtures that minimize side glare
- ~~Solicit cost/foot estimates for~~ **Further study** underground electric, phone, and cable installation. ~~and survey the town residents as appropriate~~

Beach

- **Continue to actively seek, request, and support state and federal funding for beach replenishment.**
- Annually set aside funds for future beach replenishment
- Maintain beach cleanliness and safety

Canals

- Continue to implement recommendations from the 2010 Anchorage Canal Drainage Area Study such as the Route 1 median project
- Continue to educate homeowners about water quality initiatives and actions they can take to improve canal water quality such as avoiding discharge of grass clippings into the canals, minimizing use of fertilizer, use of rain gardens for storm water, disconnecting downspouts and outside shower drains that discharge into the canal
- Continue the Town beautification and canal cleaning volunteer programs
- Continue to participate in the Citizens Monitoring Program for water quality and the oyster gardening program
- Review the results of the canal aeration pilot project and consider extending it for low oxygen areas in canals if appropriate
- Continue to pursue options to mitigate the formation of algae through reduced nutrient load and/or improved circulation at the canal dead end locations
- Provide an annual budget item for future canal dredging
- **Continue to actively seek, request, and support state and federal funding for future canal dredging and water quality improvement efforts.**

Wetlands

- Preserve Town owned wetlands

Page 3, First Paragraph, (Five-Year Review):

This survey was drafted by the Planning Commission during the Fall of 2010 and sent to Martin Wollaston, a policy scientist from the University of Delaware Institute for Public Administration for a professional review. The Town Council reviewed the draft survey and comments provided by Martin Wollaston during a **Town Council** Workshop meeting on January 27, 2011. The survey was reviewed line-by-line during the February 24, 2011 **Town Council** Workshop and submitted to the **Town** Council for approval on March 11, 2011. The approved survey was sent to 1,317 property owners on March 22, 2011 with a return due date of May 2, 2011. In addition to soliciting opinions and priorities related to a wide range of community issues, the survey included several open-ended questions to ensure that the survey respondents could raise any issues which may not have been anticipated.

Page 3, Second Paragraph, (Five-Year Review):

The Town received a total of 860 responses (65%) to the survey. Results indicated the needs of the Town are being met. Overall respondents were satisfied with current conditions and agreed that the Town's **highest** future priorities should focus on maintaining a replenished beach and maintaining dredged canals.

Page 3, Fourth Paragraph, (Five-Year Review):

Development has slowed due to the recession starting in 2008. The question of development within and surrounding the Town continues to be a concern. Planning and land use are important issues. Additionally, **consistent** enforcement of building and zoning codes concerns many property owners.

Page 4 (Five-Year Review):

Replace Pages 17-26 with the following:

SOUTH BETHANY TODAY

The 2010 raw Census data relevant to South Bethany is provided in Reference 2. It includes population and housing figures for Delaware, Sussex County and South Bethany. Reference 3 also includes a summary of South Bethany and Sussex County data from the 2000 Census. Strikingly, the data reflect that South Bethany's population actually decreased 8.7% from 492 to 449 over the 10 year period. During the same time Sussex County's population increased 25.8% from 156, 638 to 197,145.

It should be noted that Census figures count all persons, though errors, omissions and over-counts often occur. Such errors have a minimal effect on large populations but are magnified in small populations. Consequently, the figures should be viewed with that in mind.

Councilwoman Callaway commented that she did not see a reference to the total number of homes and number of year round residents. Councilwoman Callaway stated that she is frequently asked about that and she thought that is something that could go here. Mayor Jankowski believes there is a lot of demographic information being eliminated. Council discussed if they could reference the United States Census Bureau's website or if they should put the information in the Comprehensive Plan. Councilman Rae said he believes referencing the government website is a legitimate thing to do rather than adding 24 more pages to the CP. Councilwoman Callaway and Mayor Jankowski agreed.

Councilman Rae expressed his concern about eliminating information in the CP that may be required by the State. Councilman Rae asked if the State has instructions on doing the CP.

Councilman Rae inquired if the Planning Commission had compared their changes with what the State requirement is.

Councilwoman Callaway stated that the Town History (pages 13 – 15 of the Comprehensive Plan) ends at 2004. After discussion Council agreed that the Planning Commission should briefly update the Town History information. The Town Manager noted that the Annual Reports he has done include projects that have been completed or are in progress such as beach replenishment and the new Town Hall and Police Building which would be helpful to the Planning Commission to update the Town History. Council agreed.

Page 27 and 28 of the Comprehensive Plan:

Councilman Gross believes the 90% number in The Effects of Changing Demographics Within South Bethany section on Page 27 should be updated because there are fewer lots available now.

Councilwoman Callaway commented that on page 27 of the CP it does not appear that the information in the Surrounding Areas paragraph has been updated. She asked if it was still accurate. Councilwoman Callaway believes that if the Surrounding Areas paragraph stays in the document the numbers in the paragraph need to be verified. Councilwoman Voveris stated that she thinks the Millville by the Sea numbers are in the Cat Hill/Black Gum Road barricade study.

Councilwoman Callaway commented that on page 27 of the CP the Implications paragraph references overcrowded beaches. She believes this is outdated and noted that the Town's website says that South Bethany's beach is not crowded. Councilwoman Callaway stated that it may be an issue for Bethany Beach but it is not an issue for South Bethany. The Town Manager noted that the CP was done before beach replenishment. Councilman Gross agreed that this should be changed. After discussion, Council agreed to delete the Implications section on pages 27 and 28 of the Comprehensive Plan.

Councilman Rae believes Council needs to verify if there is a state instruction/regulation which requires that the information Council is discussing deleting be in the Comprehensive Plan.

Pages 29-32 of the Comprehensive Plan:

Councilman Gross stated that the references to the 1999 Survey on page 29 of the Comprehensive Plan should be eliminated. Councilwoman Callaway noted that there were a lot of references to the 1999 survey in the CP, specifically on pages 29, 30, and 31. Councilman Rae noted that the 1999 survey has been superseded by a new survey.

Councilwoman Callaway believes all references to annexation should be taken out of the Comprehensive Plan. Councilman Rae stated that annexation has not been an issue for South Bethany in recent years. The Town Manager said that in a Comprehensive Plan the State is interested in the land use. The Town Manager believes the Town has to explain why the Town doesn't have much of an interest in annexation, e.g., the Town can't annex to the east because of the ocean, the Town can't annex to the south because of the State land, the Town can't annex to the west because of the canals/wetlands, and the Town can't annex to the north because of Middlesex which is a private community and is not interested in annexation. Mayor Jankowski suggested reporting that the Town does not plan any annexation and list the reasons above that the Town Manager gave.

Page 5 (Five-Year Review):

As mentioned under **Canals** on page 35 of the CP, Councilwoman Callaway suggested including, "The speed of watercraft also affects the water quality. Therefore, residents should be encouraged to limit their speed and reduce the damage to the waterways." Mayor Jankowski agreed.

Page 6 (Five-Year Review):

Councilman Gross believes the first paragraph needs editing by adding "diffuser" in a couple of places because it is a diffuser project not a project to aerate.

Page 7 (Five-Year Review):

First paragraph under **Cleanliness**: Councilman Gross suggested deleting the word "sufficient". Councilwoman Callaway wondered if the trash cans and recycling cans that have been placed on the beach should be added to this section.

Second paragraph under **Beach Accessibility**: Regarding Mobi-Mats, Councilman Gross believes the grant the Town received from DNREC which covered half the costs should be mentioned. Council agreed.

Third paragraph under **Beach Accessibility**: The Town Manager stated that the Town did install one hand rail on N. 6th St.

Page 8, Last Paragraph, (Five-Year Review):**Tidal Pump**

A Tidal Pump has been considered in the past to improve canal water circulation and water quality. The concept is to install piping between the ocean and the canals to allow an exchange of water driven by relative tide changes. A Town funded study showed the concept would reduce residence time in the canals from 120 days to just a few days. The estimated cost for the system was \$7M and would take approximately 2 years to complete. The proposal was not accepted by DNREC in part because the beneficial effects would be limited to the Town and would not appreciably affect the inland bays. ~~Consequently, the Tidal Pump project is not viable at this time.~~

Page 9 (Five-Year Review):

First paragraph under **Town Hall and Police Facilities**: The Town Manager noted that it does not mention that the Town built a Police Department building. Councilwoman Callaway believes the date the buildings were completed should be included in this paragraph. The Town Manager suggested adding, "The new Town Hall and Police Department facility were completed in 2007." There was agreement. Councilman Gross said he would add, "Town Hall and Police facility is located adjacent to the new building for the Police Department" and delete "which formerly housed both the town government and the Police Department."

Page 9 (Five-Year Review):

First paragraph under **Town Finances (Budget and Finance)**: After the first sentence, "The Town is in sound financial condition" insert that the Town created its first Budget and Finance Committee in 2009. Councilman Gross asked Councilwoman Voveris to write a sentence or two to put in this section.

Page 10 (Five-Year Review):

First paragraph, second line: Council agreed to delete "It reflects a surplus of \$181,000 for FY 2012" and add that the 2012 Budget can be viewed on the Town's website.

Due to the time, Mayor Jankowski asked if Council wanted to continue with this agenda item and defer the remaining agenda items to another meeting. Councilwoman Voveris stated that Council needed to discuss Item VII (Discussion of possible grant monies and Town match for storm drain retrofit project on the east side of Route 1) because the letter needed to be done by August 30. Council agreed to end the discussion on the Comprehensive Plan Five-Year Review and continue it at the next workshop meeting. Council agreed to address Agenda Item VII (Discussion of possible grant monies and Town match for storm drain retrofit project on the east side of Route 1) and Agenda Item X (Executive Session – Personnel matter in which the name, competency, and ability of an individual employee will be discussed) at this meeting before adjourning.

DISCUSSION OF POSSIBLE GRANT MONIES AND TOWN MATCH FOR STORM DRAIN RETROFIT PROJECT ON THE EAST SIDE OF ROUTE 1

Councilwoman Callaway reviewed the following information which Council Members had as handouts:

**East Side Route 1 Right-of-Way Stormwater Drains, Bioretention Areas
DNREC Community Water Quality Improvement Grant Project
Town Council Workshop Presentation – August 23, 2012**

Project Overview

- Partnership concept very similar to the Median Bioretention Areas Grant Project that was led by the CIB last year.
- Creating bioretention areas around stormwater drains on the East side will significantly reduce the amount of Nutrients (nitrogen and phosphorus) and bacteria that enter our canals.
- The CIB has agreed to lead this East Side Project which will complete the final phase of water quality retrofits along the South Bethany Route 1 right-of-way as recommended in the *Conceptual Pollution and Stormwater Control Strategy for the Anchorage Canal Drainage Area*, June 2010.
- The CIB has assembled the same team that worked on the Median grant – the CIB as lead, South Bethany, Middlesex, Susan Barton from the University of Delaware, DeIDOT, and Larry Trout (engineer) who designed the Median project.
- The cost of the Median project was about \$115,000 (excluding Middlesex contributions for plantings).
- East side project will cost approximately \$125,000 to \$150,000. The design and excavation is more complex than the Median's because of the gas and water lines that run along the right-of-way. Also, the catch basin must be raised up so that water accumulates in the rain gardens.

South Bethany Matching Funds

- Matching funds are not required but “preference is given to projects that include other match, leveraging or cost share.” The SB cost share/match will demonstrate commitment, support, good faith and the importance of the project to our community. RFP clearly states that proposal evaluation includes additional points for matching funds and leveraging.
- South Bethany will commit \$12,958 in In-Kind funds which includes volunteer hours for project oversight and implementation, water quality testing volunteers, employee maintenance hours and use of town equipment. South Bethany will be involved in the planning and implementation of the initiative as well as the follow-up data collection and maintenance of the bioretention areas. Such a commitment helps ensure a sound investment on the part of the funder (DNREC).
- The Water Quality Committee requests that South Bethany contribute a total of \$10,000.
 - The Water Quality Committee will contribute \$4,000 from its current 2013 budget.
 - The Water Quality Committee and the Community Enhancement Committee will contribute \$500 each from funds received from the SBPOA, totaling \$1000.
 - It is requested that the balance of \$5,000 be drawn from South Bethany Reserves. For this additional amount, South Bethany will gain greater leverage. Our **Return on an Investment** of \$10,000 for \$125,000 is 12.5 times the initial amount. Such an investment allows us to complete the recommended water quality retrofits project and take us further in the direction of improving our canal water quality. This project will significantly reduce the nutrients that enter our canals and the plantings will certainly increase the appearance on the east side which has not been previously addressed. South Bethany will gain a great deal from involvement with this project.

ROUTE 1 EAST SIDE STORM DRAIN BIORETENTION INITIATIVE

SOUTH BETHANY IN-KIND MATCH STATEMENT

Positive experiences with the 2011 Route 1 Median Bioretention initiative and the 2012 development of 17 rain gardens along the Route 1 Pedestrian Walkway have reaffirmed the need for project planning, project oversight during implementation and then upon project completion, developing and implementing a maintenance and weed management plan. South Bethany is committed to providing the necessary volunteer and employee manpower required to conduct the tasks associated with the East Side Bioretention initiative that will help ensure successful outcomes. Continued implementation of the South Bethany Volunteer Water Quality Testing Program in partnership with the University of Delaware will allow the accrual of reported water quality data to be transmitted to DNREC.

- 1) Volunteer Hours – South Bethany property owners and Town Mayor, Kathy Jankowski and Town Council members Sue Callaway, Chair, Community Enhancement Committee and George Junkin, Chair, Water Quality Committee, volunteer their time as leaders on the Route 1 East Side Bioretention Project including attending planning sessions, preparation of RFP and any necessary attachments, project implementation, preparation of any written materials, reports and news announcements, and attendance at collaborative meetings: 100 Hours x \$22.12 = **Total Amount of \$2,212**

- 2) Volunteer Water Quality Testing Committee – This Committee provides year-round monitoring of water quality at 10 different canal locations throughout South Bethany's canal network. In collaboration with the East Side initiative, volunteer testing will yield new data that evaluates any new changes. Monitoring occurs 26 times per year and requires 2 volunteer monitors at 2 hours per monitoring session, totaling 104 volunteer hours. In addition, the Coordinator of this Committee prepares 26 written reports requiring 26 additional volunteer hours. Total number of volunteer hours = 130 hours x \$22.12 per hour = **Total Amount of \$2,875.60**

- 3) Don Chrobot, Town Maintenance Supervisor and Crew Chief – Employee time for project planning and implementation and development and implementation of maintenance plan and weed management for 22 landscaped bioretention areas (total of 10 hours per one bioretention area): 220 Hours x \$17.82 = **Total Amount: \$3,920.40**

- 4) Use of town vehicles for landscape maintenance and weed management at \$14.50 per hour x 220 hours = **Total Amount of \$3,190**

- 5) Melvin Cusick, Town Manager – Provides grant and project oversight and follow-up. Will attend collaborative and local planning and implementation meetings. A minimum of 20 hours of management time will be required. 20 hours x \$38. per hour = **Total Amount of \$760**

Total Matching South Bethany In-Kind Funds = \$12,958.

Councilman Gross asked for confirmation that the Town's match of \$5,000 would not be spent unless the grant is awarded. Councilwoman Callaway said that is correct.

A motion was made by Councilman Gross, seconded by Councilman Rae, to approve the request as presented on the handout titled East Side Route 1 Right-of-Way Stormwater Drains, Bioretention Areas DNREC Community Water Quality Improvement Grant Project Town Council Workshop Presentation – August 23, 2012. Discussion: Noting that this is not something Council has set aside money for, Councilwoman Voveris stated that as Treasurer she requests that

Council not break the FY 2013 budget and go into reserves. Councilwoman Voveris had contacted Bart Wilson of the Center for the Inland Bays who is in charge of the project, and he confirmed that the Town can pledge the \$10,000 now but wait until May 1 (which is the beginning of the FY 2014 Budget) to make the payment. This would then become a project for the FY 2014 Budget and the Canal Water Quality Committee could use its \$4,000 in the FY 2013 Budget and the SBPOA funds for something it might find use for this year. Councilman Gross inquired if there was any down side to this. Councilwoman Voveris stated that there is not. Councilman Gross said to let that be part of the understanding. Councilwoman Callaway stated that when Council pledges, Council cannot come back and vote against it in the FY 2014 Budget. Councilwoman Voveris said this would be an item that Council would suggest to the Town Manager and Finance Director to prepare in the 2014 Budget as a guideline. The Town Manager added that it could be in the Canal Water Quality's 2014 budget. Councilwoman Voveris agreed. A motion was made by Councilwoman Voveris, seconded by Councilman Rae that Council pledge a contribution of \$10,000 towards the East Side Route 1 Right-of-Way Stormwater Drains, Bioretention Areas DNREC Community Water Quality Improvement Grant Project. The motion was unanimously carried. Councilwoman Voveris asked if something should be said about the time frame. Councilman Gross said the minutes should show that and it does not need to be in the motion. Councilwoman Voveris said when the 2014 Budget comes the \$10,000 will be in the budget.

REAPPOINTMENT/APPOINTMENT OF PLANNING COMMISSION MEMBERS (Jim Gross)

Due to time, this item was not discussed.

REAPPOINTMENT/APPOINTMENT OF BOARD OF ADJUSTMENT MEMBER

Due to time, this item was not discussed.

EXECUTIVE SESSION – PERSONNEL MATTER IN WHICH THE NAME, COMPETENCY, AND ABILITY OF AN INDIVIDUAL EMPLOYEE WILL BE DISCUSSED

At 7:15 p.m. a motion was made by Councilwoman Callaway, seconded by Councilwoman Voveris to go into Executive Session. The motion was unanimously carried.

Council went into Executive Session to discuss a personnel matter in which the name, competency, and ability of an individual employee will be discussed.

MOTION TO RECONVENE WORKSHOP MEETING

At 7:21 p.m. a motion was made by Councilwoman Voveris, seconded by Councilman Gross, to reconvene the Workshop Meeting. The motion was unanimously carried.

DISCUSSION AND POSSIBLE VOTE ON SALARY ADJUSTMENT FOR TOWN EMPLOYEE DISCUSSED IN EXECUTIVE SESSION

A motion was made by Councilman Gross, seconded by Councilwoman Callaway, to accept the Town Manager's recommendation on salary adjustment for the Town employee discussed in Executive Session. The motion was unanimously carried.

PUBLIC COMMENT PERIOD

There were no comments from the public.

ADJOURNMENT

The August 23, 2012, Town Council Workshop Meeting was adjourned at 7:25 p.m.

phs:Workshop Minutes.8.23.12 Amended September 14, 2012

Attachment: 2012 South Bethany Comprehensive Development Plan Review