



Minutes of the Regular Town Council Meeting Monday, October 13, 2014

1. Call to Order

Mayor Krause called the October 13, 2014 Regular Town Council Meeting to order at 7:16 PM in the downstairs meeting room of the Slaughter Beach Memorial Volunteer Fire Company. Members present were Mayor Bill Krause, Vice Mayor Amy Parker, Treasurer Jackson Gingrich, and Secretary Glenn Stieffenhofer. Councilperson Kathleen Lock was absent. Signed in community members are shown on the attached sign-in sheet.

2. Constitutional Moment

Mayor Krause read the Ninth Amendment (Amendment IX) to the United States Constitution: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

3. Welcoming and Announcements

Mayor Krause welcomed everyone to the meeting and expressed his appreciation for their attendance. Announcements included:

- Flu Shot Clinic at the Slaughter Beach Fire Hall on Tuesday, October 14th from 6pm – 8pm;
- Bill McSpadden made website updates to make reports available that were previously too large to post on the website (as attachments to the minutes) because of restrictions on file size. The Treasurer's reports, committee reports, Building Inspector's reports, and other documents that support the monthly meeting are now individually posted on the Town website;
- DNREC to hold public workshop on updates to Regulations Governing Beach Protection and Use of Beaches on Friday, October 31, 2014, 2pm – 4 pm at the Slaughter Beach Fire Hall;
- Presentation on Delaware's Revised Septic System Regulations: Saturday, November 22, 2014, 11am at the Slaughter Beach Fire Hall;
- Councilperson Kathleen Lock was a guest speaker at the Sea Level Rise Awareness kick-off event held at the DuPont Nature Center. She was quoted in several media pieces including the following article in the Cape Gazette: <http://capegazette.villagesoup.com/p/awareness-rises-along-with-the-waters/1244236>.

4. Introduction of Council and Officers

5. Approval of the October 13, 2014 Town Meeting Agenda

Motion: A motion was made by Amy Parker to approve the October 13, 2014 meeting agenda. Jackson Gingrich seconded the motion. **Motion carried unanimously, 4-0.**

6. Approval of the September 8, 2014 Town Meeting Minutes

Motion: A motion was made by Jackson Gingrich to approve the minutes of the September 8, 2014 Council Meeting. Amy Parker seconded the motion. **Motion carried unanimously, 4-0.**

7. Reading of Correspondence

- PNC Bank – Richard Blum bankruptcy. Information was sent to town attorney and tax collector;
- DNREC – approved driveway for Muhammad Amin, lot 39;
- FEMA – the Town has sent comments, but we haven't receive anything back. Now we have to send them our draft ordinance. We are working with Sussex County to get our Town borders correct for maps. Part of the inaccuracies goes back to when we took over the Passwaters area;

- *Mayor Krause was invited to Mayoral Scrapple Sling at the Apple Scrapple Festival slated for October 11, 2014;*
- *Return Day Celebration – Thursday, November 6, 2014 in Georgetown;*
- *Lease for Town Park was found in the safe deposit box*

8. Reports

a. Treasurer

Jackson Gingrich presented the September 1 – 30, 2014 Treasurer’s Report. The General Fund had deposits of \$20,197.97 and expenses of \$11,786.58 leaving an ending balance of \$25,243.69. The Municipal Street Aid Fund had expenses of \$813.47 and an ending balance of \$9,988.46. The Realty Transfer Tax Account had no expenses and an ending balance (including CD) of \$497,502.88. Summing the above, the Town’s total ending cash balance as of September 30, 2014 was \$532,735.03. The detailed Treasurer’s Reports is posted on the Town website under the Town Council tab at <http://slaughterbeach.delaware.gov/town-council/financial-reports>.

Motion: *A motion was made by Amy Parker to approve the September 1 - 30, 2014 Treasurer Report, subject to audit. Glenn Stieffenhofer seconded the motion. **Motion carried unanimously, 4-0.***

A community member asked what “shelling” is? It is the stone/shell replacement at the entrances to the Town’s side streets. Dan McCarthy stated that the electric bill is quite a bit above what it normally is. Jackson Gingrich replied that it has been all summer as electric has gone up. Amy Parker asked if the auditors have everything they need? Jackson Gingrich said that the auditor said he could give her a start up file to begin the audit and then he could add to it. Amy said the Charter states that we should be presenting the audit now.

b. Building Inspector / Floodplain Manager

Jackson Gingrich presented the September 2014 Building Inspector Reports for Bob Clendaniel who was not able to attend the meeting. Mr. Gingrich reported the Building Inspector spent a total of 10 hours in September 2014 for inspection and permit work and two permits were issued totaling \$1,027.97.

c. Tax Collector

Angela Tibbitt, reported the beginning bank balance on September 1, 2014 was \$14,916.11. After deposits of \$23,605.47 and a check issued to the Town for \$18,000.00, the ending balance on September 31, 2014 was \$20,521.58. We collected \$13,461.13 in September making the current bank balance \$33,982.71.

The total 2014 tax billing to owners is \$68,499.52 of which \$63,038.93 has been received through September 30, 2014. With 2013 overpayments applied to 2014, late fees received, and prior years taxes collected, the balance of 2014 tax billings receivables is \$5,196.46. We also have past due tax billing receivables of \$624.43 for prior years.

There was a discussion regarding the need to examine trash fees billed to property owners next year. The cost to the Town went up over \$5000 this year but we are only billing residents a little over \$100 per year. (Note: there are 262 improved properties, each billed \$140 annually)

The monthly Tax Collector’s Reports will be posted on the Town website under the Town Council tab at <http://slaughterbeach.delaware.gov/town-council/financial-reports>.

d. Town Street Committee

Jackson Gingrich reported for Jimmy Dalton. The re-stoning project was completed and that’s the extent for this year. Street signs are due to arrive this week for North Delaware and North Harrison Streets.

Bill Krause reported that last month we approved one streetlight on Marina/Passwater. It will be installed sometime in the near future. Jimmy Dalton recommends adding two more lights. Concerning a light on the Beachplum Drive cul-de-sac, there isn’t a pole and we might not have an electric tie in at this location

so it would be more expensive. We need to find out what the cost will be and the same issue exists for Passwater, so Council needs to do more research before voting.

e. Election Revision Committee

Rebecca Craft reported that a public meeting was held on September 8, 2014 for the purpose of gathering information from residents on which aspects of the existing election law need to be reviewed for possible revisions. The meeting had very limited attendance. A survey was deployed to elicit additional information from residents unable to attend the public meeting. There were 77 responses as of October 10, 2014. The survey was intended to build on the recommendations from the Board of Elections.

After analyzing the survey responses, Rebecca recommended the reform process should be staged in two parts. The second phase would be needed if adjustments to the town charter were necessary.

The full Election Revision Report is available on the Town website:

<http://slaughterbeach.delaware.gov/files/2014/11/Complete-Election-Reform-Council-Report-10132014.pdf>.

Summary of presentation/discussion:

1. A Minimum of three poll workers should be identified to run the election process. Next step would be to meet with the Town's attorney to discuss actions needed to put poll workers in place; depending on outcome, develop language for ordinance or procedure. If no Charter change is needed, could be in place by November 10, 2014.
2. Qualifications for voters. Research is needed on how other beach communities qualify voters. Recommendation is to use proper tax rolls and to put into place a written procedure/process and a clear communication plan to residents. Angela Tibbitt said if you go on to the Sussex County property tax you could search owners name and properties on the day of election. Next steps: Research types of lists available to ensure that we are obtaining a complete and accurate listing of all homeowners. Research and develop procedure for ensuring appropriate communication to eligible voters/residents of Slaughter Beach of who will need to provide proof of voter eligibility when they vote. The biggest problem in Rebecca's opinion in the communication. A communication plan can be ready for Council by December 8, 2014. Jackson Gingrich asked if it is our job to hunt for voters. Rebecca said no, however it is our job to communicate expectations of what they need to do/bring to vote.
3. Increasing the hours of the election. The majority of responders indicated the hours should be between 4-6 hours. Rebecca believes this can be done with a simple vote of the Council. The Charter gives us permission to do absentee balloting, however the DE code regarding absentee balloting is very extensive. The issue of absentee balloting is one that will require additional research on the part of the Town's attorney, which could be expensive.
4. Fourth is Residency requirement – Our Charter has a 4-month residency requirement; therefore, any adjustment to it would require a charter change. Rebecca suggested this probably couldn't happen before next election because it would require legislative session and could take up to 2 years. 30 days for state charter may trump our charter. Barrett is looking into that.
5. Miscellaneous feedback – There is some concern about property owners and renters from a single property being allowed to vote. This probably can't be addressed quickly and would require a Charter change.

Rebecca summarized the results of the survey, with limited exception, all show a desire to follow the recommendations of the State Election Board. If the phasing and directions are approved, then she will need to meet with the Town's attorney to determine the best way to move forward, based on state election law. She added that much of the work could be done by December. We will also need a step-by-step guide for policy and procedures for elections. We could mimic state procedures after research is done.

Bill Krause said that we could vote at the next meeting. May need to discuss at a public meeting at 6pm on November 10, 2014.

f. Mayor and Council Updates

Loitering in the Town Park Parking Lot and Crime Deterrence

Bill Krause reported that he met with representatives from the Fire Department to discuss the parking lot lights in light of recent reported crime in the area. He noted that the lights in the lot are pretty bright, but the back 25 feet or so could use a little more light. He encouraged residents to ride by and see what they thought.

In the same meeting, Bill Warner said that someone was reported breaking into cars in the FD parking lot during their appreciation dinner. They rounded the guy up and called the State Police, who arrested him. He had several outstanding warrants and should be off the streets for some time.

Town Park Lease

Bill Krause met with representatives from the Fire Department. The Town found the original lease in the safe deposit box. The original lease, from 1984, automatically renews every two years. The Mayor furnished a copy to the Fire Department and requested they consider a short lease amendment for a 30-year term to match the Park Tennis Court/Basketball repaving grant requirement. Dan McCarthy said that he heard that the original lease was not signed by the Fire Department. Bill Krause said the then current Mayor and President of the Fire Department signed it. Time is of the essence to resolve this issue in regards to the park grant.

Report on September 9, 2014 Meeting with DNREC

The Mayor confirmed that commercial fishermen have the right to come close to the beach, but respectable ones won't. There are only three or four commercial fisherman off of Slaughter Beach. DNREC representatives reported that some of the commercial fisherman had already called them regarding the bycatch violations before our residents did. Their 24-hour enforcement number 1-800-523-3336, or residents can call the DNREC Enforcement Section directly at 302-739-9913 during business Monday – Friday from 8 am - 4:30 pm.

DNREC representatives provided the following link regarding recreation gill net and sturgeon observation information: www.eregulations.com/delaware/fishing. Recreational gill net info is on page 15 and sturgeon observation info and call number on page 23.

The Mayor also clarified Delaware law regarding unattended fishing equipment.

- *No person shall leave fixed fishing equipment that is being fished in the tidal waters of this State unattended for any longer than 48 hours unless inclement weather provides for unsafe navigation.*
- *No person shall leave drifting fishing equipment that is being fished in the tidal waters of this State unattended at any time; insofar that the person fishing said drifting fishing equipment shall remain on his or her vessel and within sighting distance of said equipment.*

Report on Coastal Cleanup (September 20, 2014) and Coast Day (October 4, 2014)

The 2014 Delaware Coastal Cleanup drew 1,800 volunteers who collected 3 tons of trash and recyclables from more than 45 sites, according to the DNREC press release. Again this year, Slaughter Beach attracted a huge number of dedicated volunteers to help clean the beach. Delaware's next Coastal Cleanup is set for Saturday, September 15, 2015.

Amy Parker reported that Coast Day was successful for all.

9. Old Business

a. Prime Hook National Wildlife Refuge

No update.

b. **Town Park**

Jackson Gingrich reported we would need a new company and a new policy if we were to change our coverage in the middle of the year and suggested we do this in March when we renew the policy. He said it might be \$300 - \$400 more per year and the only advantage is having a higher aggregate.

c. **Municipal Street Aid**

Status of audit of FY2014 for fund: Jackson sent it in and hasn't heard anything.

d. **Grants**

Wastewater Management Feasibility Study Grant

Consultant submitted the report to the state by the deadline.

Sea Level Rise Grant (SLG)

We will need to set up an escrow account to be ready for Hendricks and Tuckers

Escrow Account for the SLG

Motion: *A motion was made by Amy Parker to open an escrow account for the Sea Level Rise Grant when it is needed. Glenn Stieffenhofer seconded the motion. **Motion carried unanimously, 4-0.***

Town Park Grant

Warranty work is scheduled for Wednesday, October 15, 2014, weather permitting. When the warranty work is complete, and after we get the lease addressed, we can get the matching grant.

Sussex County Safety Grant

Status of this years grant, extension of Patrols into fall/winter season. Report by Vice Mayor – this year we received the Sussex County grant money late. We usually have 90 days to spend the money but Amy Parker spoke to the woman that runs it and we got an extension. We will have police presence one day and one night per week through the winter until we use up the money. Send the receipts and close the grant and next spring we get the money sooner. Jackson stated that we have only spent about \$5500 and collected \$145 in fines.

e. **Job Descriptions**

Trisha Anne Saunders and Amy Parker are close to having the job descriptions completed and anticipate that they will be able to present some, if not all, of the job descriptions at the next monthly meeting.

f. **Update on common email addresses**

No update.

g. **Impact Fees**

The discussion and possible vote on future impact fees for new building off of Marina/Passwater Drive was deferred until the work on the zoning code and map, CLUP, the new Flood Plain Ordinance, and the election revisions are completed.

10. **New Business**

Need zoning on next months meeting agenda. Amy referenced email from Barrett.

11. **Other Reoccurring Topics – Discussion Only if an Update for this Meeting**

- a. **Town Budget Topics - Update by finance committee;**
- b. **SCAT – report – Steering Committee Meeting;**
- c. **Code Enforcement;**
- d. **Alliance of Bay Communities – brief report of recent meeting(s);**
- e. **The Bayshore Initiative (BSI) – Brief update/report;**
- f. **CAV Report Progress;**

- g. **Slaughter Beach Zoning Ordinance (SBZO) – Waiting for final draft & then schedule the final public hearing;**
- h. **Comprehensive Land Use Plan (CLUP);**
- i. **Floodplain Ordinance (FPO) - workshops still not scheduled by DNREC with the Town & Sussex County (SC). SB will use a model ordinance provided by DNREC as a starting point to update our FPO as required by law. Building height & freeboard are key issues. Discussion of recent article re: Sussex Council addressing this same issue; & our BI/FPM recommendations;**
Needs to be adopted by March 2015 or we lose our flood insurance.
- j. **Town Office – status of filing files;**
- k. **Municipal Street Aid - FY2015 Road Plans require supplement from RTT, as budgeted. Status of audit report completed by Treasurer for FY21014 funds;**
- l. **Continuing – Reports from BI/FPM, Tax Collector, and Town Clerk**

12. Priorities for SB for the year – Updates as they occur

- a. **NFIP all goals that must be accomplished to improve SB rating;**
- b. **Pursue beach replenishment; breach restoration; address flood & drainage issues through DNREC program;**
- c. **Contact owners of the few properties that need cleaning up;**
- d. **Discussion on future actions to mitigate the negative effects of commercial fishing on SB. – Referred to Bill McSpadden for action.**
See 8f, above.
- e. **Town beautification**

13. Public Comment

A resident inquired how widespread is the problem with septic systems. Another resident mentioned the basketball court has gotten very popular with non-residents. A question was raised regarding the increased expense for trash/recycling – the resident asked if the service provided gave a reason for the price increase. A request was made to say the Pledge of Allegiance.

14. Upcoming Events

- **Free Flu Shot at the Fire Department – Tuesday, October 14, 2015 6-8 PM. Bring ID.**
- **Town Committee Meetings – Monday, November 10, 2014 6 PM**
- **Town Council Meeting – Monday, November 10, 2014 7 PM**
- **Upcoming Community Outreach Meeting on Delaware’s Revised Septic Regulations (effective January 11, 2014) by Jim Cassidy of DNREC – Environmental Program Manager / Groundwater Discharge Section. Planned for November, an announcement will be sent out and posted on the Town website**

15. Adjournment

- a. **Motion:** Jackson Gingrich motioned to adjourn the meeting at 8:33 PM. Glenn Stieffenhofer seconded the motion. **Motion carried unanimously, 4-0.**

Respectfully submitted,



Glenn Stieffenhofer
 Town of Slaughter Beach
 Secretary

SLAUGHTER BEACH TOWN COUNCIL MEETING

Sign-In Sheet

Date: 10/13/14

PLEASE PRINT

Name	Address	Phone	E-Mail
Angela Lipsett			sbtaxcollector@gmail.com
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Peggy Carroll	253 Bay		
Jerry Carroll	253 Bay		

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