

## **MINUTES**

### **COMMISSIONERS OF BRIDGEVILLE**

**JUNE 9, 2003 - 7:00 P.M.**

**BRIDGEVILLE FIRE HALL**

#### **I. CALL TO ORDER**

The regular monthly meeting was called to order by President Joe Conaway at 7:00 p.m. Present: Commissioners Margaret Sipple, Pat Correll, Earl Greason and Bill Jefferson. The meeting started with the flag salute and the Lord's Prayer.

The monthly meeting was moved to the Bridgeville Fire Hall allowing for extra seating capacity for those interested in the presentation of the Residential Planned Community Concept Plan for the new development, Bridgeville South, by Mr. Nick Rocks and Mr. Bob Rauch.

President Conaway welcomed visitors from Trappe, Maryland who will soon be experiencing growth in their community similar to that of Bridgeville-golf course, housing, etc. President Conaway stated it was a historical night for the Town of Bridgeville with what promises to be a bright future for this community.

#### **II. APPROVAL OF MINUTES**

Commissioner Sipple made a motion to accept the minutes of the regular May 12, 2003 meeting and May 19, 2003 Budget Workshop as presented. Motion was seconded by Commissioner Correll and carried unanimously.

#### **III. APPROVAL OF BILLS**

President Conaway offered an explanation on three outstanding bills on the May, 2003 Vendor Balance Summary: Commerce National Insurance Services quarterly premium in the amount of \$3,452 regarding the Town's Workman Comp. The second bill, in the amount of \$4,361 from Siegfried Machine & Supply, Inc. for repairs to the pump at the Gateway Plaza located at the intersection of Rts. 13 and 404. The third bill in the amount of \$3,442.39 was for the Town's monthly premium (due each month for six months) for liability insurance from the St. Paul Company. The Balance Sheet shows \$28,571.86 in a Money Market Savings Account with \$26,578 to pay the quarterly installment on the Farmer's Home Loan( 1996 sewer upgrade project) due June 25, 2003. After a review of the bills payable and financial statements, Commissioner Sipple made a motion to pay the bills as presented and to accept the financial statements. Motion was seconded by Commissioner Correll and carried unanimously (see attached).

#### **IV. CORRESPONDENCE**

The State of Delaware, Office of the Budget, submitted their Funds Granted to Delaware During Fiscal Year 2001 Report.

The monthly newsletter from The Department of Natural Resources and Environmental Control (DNREC) was received for review.

The County Planning and Zoning Commission of Sussex County will hold a public hearing on June 12, 2003 at 7:00 p.m. in the County Council Chambers, Sussex County Administrative Building, Georgetown, Delaware. The public hearing concerns a proposal to Amend the Comprehensive Zoning Map by changing the following area from an AR-1 Agricultural Residential District to a C-1 General Commercial District for a parcel of land lying southeast of Rt. 561 (Wesley Church Road), 0.6 mile south of Rt. 17 and west of the railroad tracks, to be located on 6.488 acres, and being lands of Wheatley Ventures, Inc (old Southern States building). When Southern States Company was in operation, the County missed the proper zoning of the parcel. The County requires proper zoning when property is sold or being used in a different capacity. The Commission will submit a letter to Sussex County Planning and Zoning in support of the rezoning.

#### **V. DEPARTMENT REPORTS**

In the submitted May, 2003 monthly report, Wastewater Treatment Plant Supervisor Phillip Mowbray reported May was the 56th consecutive month without a National Pollutant Discharge Elimination System (NPDES) violation.

Water Commissioner Correll announced an article was published in the Rural Water Magazine relating to the pump repair by A. C. Schultes of Delaware on Well No. 2 located on Cherry Alley. Water Superintendent Doug Jones advised nitrate testing is on-going at that location and is hopeful to have the well on line in the near future. The article also displayed the newly painted water tower located behind Town Hall at 101 North Main Street.

Police Commissioner Jefferson advised the Town of Bridgeville had two Patrolmen, Adam Hitchens and Christopher Story, graduate on May 22, 2003 from the Delaware Police Academy. The Town now has five full time officers, including Chief Parsons, allowing for twenty-four hour, seven day coverage beginning July 3, 2003.

## **VI. OLD BUSINESS**

Chief Parsons attended a seminar sponsored by the Delaware Emergency Management Operation on June 5, 2003 and reported the State of Delaware released a plan for emergencies that might take place in the State in the near future. The first part of the plan relates to support groups for transportation and agricultural related emergencies. The second part of the plan pertains to the response of a hazardous situation that might occur in the State. Chief Parsons commented that Sussex County is also in the process of developing an emergency plan which will include municipalities.

Commissioners of Bridgeville and Greenwood met in April, 2003 to discuss and review a proposed amendment to the Bridgeville-Greenwood Sewer Agreement due to increased Greenwood flow. The Town of Greenwood has exceeded its original agreement sewer capacity of 80,000 gallons per day on a number of occasions, as well as their monthly capacity. It is believed that most of the extra capacity is due to storm water run-off with Greenwood spending time and money trying to correct the problem. Town engineers, Davis, Bowen & Friedel, suggest Greenwood's allotment be increased to 90,000 gallons per day with Greenwood agreeing to pay impact fees to Bridgeville associated with the additional 10,000 gallons per day at the current impact rate of \$1,080 per Equivalent Dwelling Unit (EDU). One EDU would be calculated as 200 gallons per day. The Town of Greenwood would have to pay to the Town of Bridgeville the additional 10,000 gallons per day allotment of \$54,000 with payments of 33%, \$18,000, being paid no later than December 2003, December, 2004, and December, 2005. Wastewater Treatment Supervisor Phillip Mowbray has recommended Greenwood consider reporting 24 hour flow data to determine compliance with the 24 hour flow limit in determining the cause of the extraneous flow. Bridgeville would be willing to assist Greenwood, when able and convenient, in reporting the 24 hour readings in non-routine situations or emergencies. President Conaway stated that at this point, Bridgeville cannot subsidize Greenwood's operation. After a general discussion and no further additions to the agreement, Mrs. Walls was asked to forward the proposed amendments to the Town of Greenwood.

## **VII. NEW BUSINESS**

A letter of request was received from Mrs. Shirley Bech, 117 North Main Street, stating her desire to purchase adjacent property, Tax Map Parcel 131-10 10.13 137.00. Mrs. Bech made an offer of \$3,500 for the parcel and will pay all associated fees and costs. The Town purchased the vacant parcel from Mr. Arthur Shelly for a \$1.00 on October 27, 1995 as a safeguard to allow access to the Wastewater Treatment Facility.

In July, 1980 the Town entered into a lease agreement with Mr. Thurman W. Adams of Seaford, Delaware at a yearly cost of \$167.75, land (Tax Map Parcel 1-31 10.12 134.00) located at North Main Street, which allows access to the Wastewater Treatment Facility. It was the feeling of the Commissioners that having this access parcel available eliminated a need for the purchased vacant parcel. After a general discussion, it was decided to have Mrs. Walls contact Mrs. Sidney Martin, 115 North Main Street, to see if she is interested in purchasing all or part of the parcel. This matter will be placed on the July 14, 2003 agenda for further discussion.

The second and final reading of Ordinance No. A03-5, "An Ordinance To Amend Chapter 128, Section No. 128-1 Fees As It Relates to Building Permits", was presented by President Conaway. The following lines will be deleted in their entirety:

-Building Permit Fees	Up to \$1,000	\$10.00
	Per \$1,000 after that	2.00

And adding the following lines:

-Building Permit Fees	Up to \$1,000	\$20.00
	Per \$1,000 after that	4.00

After a general discussion and no public comment, Commissioner Correll made a motion to adopt Ordinance No. A03-5 Building Permit Fees, as presented for a second and final reading. Motion was seconded by Commissioner Sipple and carried unanimously. Beginning July 1, 2003 one quarter of one percent of the face value of every building permit issued will be placed in the Emergency Service Funding Program (Bridgeville Volunteer Fire Company) allowing for a steady income to purchase emergency equipment, etc. per Commissioner's action on April 14, 2003.

President Conaway presented the Fiscal Year 2004 Budget. The \$1,580,647 budget is the largest the Town has ever introduced (see attached for budget and highlight listing). Some of the highlights are: the budget is the largest operational budget in Bridgeville's history and is accomplished without any property or capitation tax increases; the budget contains funds to hire a Code Enforcement Officer on a part time basis; and the budget allows for upgrading the property tax and utility billing computer programs. The Budget allows for \$90,000 to conduct a necessary hydrogeological study to insure a parcel offered to the Town for a spray site is workable. If the site is approved, the spray irrigation will handle all of Bridgeville's wastewater needs, including the new development. Negotiations for 900 acres are under way for a parcel adjacent to the parcel offered to the Town. There being no comments, Commissioner Correll made a motion to adopt the Fiscal Year 2004 Budget as presented. Motion was seconded by Commissioner Sipple and carried unanimously.

A Conditional Use Application request has been filed by Ms. Lisa Miltenberger to open a Home Décor Business at 419 South Main Street, Bridgeville. According to the Town Charter a public hearing must be held when a resident request opening a business in a residential district. The Town Commissioners will hold a public hearing on Tuesday, June 24, 2003 at 7:00 p.m. in the Town Hall to receive comments.

The Delaware Emergency Management Agency (DEMA) will reimburse the Town for the 2003 President's Day Snow declaration in the amount of \$3,811 (salt/sand, equipment, overtime expenses, etc).

The City of Lewes will be dedicating a park in honor of Mayor George Smith for his many years of service to his community. The Town of Bridgeville will honor Mayor Smith with a resolution at the dedication on June 21, 2003. Mayor Smith is the longest serving Mayor in Sussex County.

As stated earlier, in the 2004 Budget, \$90,000 has been set aside for a hydrogeological study to be completed on land owned by Mr. Jim Walls for a possible spray irrigation site. The study needs to be completed before buying of land is considered. The monies will come from the State of Delaware 21st Century Fund. The Town is currently applying for the grant money for the study, which will eliminate the borrowing of money or raising of taxes.

President Conaway presented a resolution that would allow him or Town Manager Bonnie Walls the needed authorization to execute and file an application on behalf of the Commissioners of Bridgeville with the Environmental Protection Agency under Provisions of the Clean Water Act and/or the State of Delaware, Department of Environment, for grants to aid in financing the construction of sewage treatment works, more particularly as the Bridgeville Wastewater Treatment Plant Upgrade. The names mentioned are authorized to sign all documents in connection therewith. The signing of the resolution also allows the Town's engineer to begin the process of obtaining grant/loan funds to start the needed upgrade. This is the first step to correcting the sewer problem required under the Clean Water Act. Commissioner Jefferson made a motion to adopt the resolution with a second by Commission Greason, motion carried unanimously.

**PRESENTATION:** Mr. Bob Rauch, president of Robert D. Rauch and Associates, Inc. presented the concept plan for planned community, Bridgeville South, which is being developed by Allen and Rocks, Inc. The presentation addressed administrative actions that are required under the Town's adopted No.A2-8 Ordinance for the approval of the Residential Planned Community Plan (RPC). The concept plan establishes the broad scope of the project, followed by preliminary site plan approval, and the final RPC Plan which will be accompanied by all engineering agreements and

necessary approvals associated with the project. Mr. Rauch explained there are two reasons for the presentation: the first being the opportunity to begin a more careful examination of the project, physical features, markets, and all items that affect the final planning of the project. Mr. Rauch asked the Commission to accept an amendment to the concept plan where the scope of the project has not been changed, only the configuration of the development. The project is expected to include 2,000 mixed residential units to be developed in eight phases including an 18-hole public championship golf course. The golf course is expected to be built in the early phase of the project as well as 245 homes. The second reason for the presentation is to introduce the preliminary site plan which reflects the revised concept plan. It was pointed out South Cannon Street has been proposed as an entrance to the new development to ensure efficient and expedient access in cast of any emergency situation. A buffer zone will envelop the entire planned community. The price range of homes in the development will be \$150,000 to \$250,000. Following the presentation, the public was invited to ask questions. A resident inquired if the community could be assured that the golf course will remain as such and not be changed to build additional homes. President Conaway responded the golf course will remain as such and cannot be changed for construction of more homes, or any other use, without the Commissioners approval. For every home that is sold in Bridgeville South, the developer has made a commitment to pledge \$100 to a fund to finance the construction of or improvements to the Bridgeville library.

On September 9, 2002, the Commission adopted Ordinance No. A02-8: Establishment of a Residential Planned Community District (RPC). After reviewing the ordinance, there are amendments that need to be addressed in the ordinance. Mr. Ryan Showalter, attorney with Miles and Stockbridge, highlighted the proposed amendments to Ordinance No. A02-8, namely an amendment to Section 7 and Section 8. Commissioner Jefferson made a motion to accept the amendment to Ordinance No A02-8 for a first reading. Motion was seconded by Commissioner Correll and carried unanimously. The second reading and public hearing relating to the Residential Planned Community Amendment will take place on July 14, 2003 at the regular monthly Town Commission meeting (see attached).

President Conaway read a proposed resolution in its entirety relating to approval of minor amendments of an approved Residential Planned Community District Concept Plan. Commissioner Correll made a motion to adopt the resolution based on the finding of facts included in the resolution.

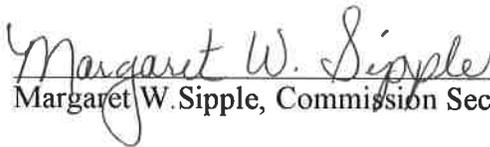
Commissioner Jefferson - yes  
Commissioner Sipple - yes  
Commissioner Correll - yes  
Commissioner Greason - yes  
President Conaway - yes

Resolution approved by the Commission to a 5-0 vote.

**IX. ADJOURNMENT**

Commissioner Sipple made a motion to adjourn the meeting at 8:35 p.m. Motion was seconded by Commissioner Correll and so carried.

Respectfully submitted by:

  
Margaret W. Sipple, Commission Secretary

  
Alma Fleetwood, Town Clerk