

MINUTES

COMMISSIONERS OF BRIDGEVILLE SEPTEMBER 13, 2004 - 7:00 P.M. TOWN HALL

I. CALL TO ORDER

President Joseph Conaway called the regular monthly meeting to order at 7:00 p.m. Present: Commissioners Margaret Sipple, Earl Greason, Patricia Correll, Bill Jefferson and Town Manager Bonnie Walls. The meeting started with the flag salute and Lord's Prayer.

PRESENTATIONS:

Sussex County Councilman Finley Jones presented a check in the amount of \$10,000 to Mr. Howard Hardesty, President of The Bridgeville Historical Society. The money will enable the Society to act on a number of projects in the community. (It was noted the check was payable to The Town of Bridgeville who will in turn deposit the check and draw a check on their general account payable to The Bridgeville Historical Society).

Mr. Nick Rocks, developer of Heritage Shores, presented elevation and floor plans for the new clubhouse (preliminary bids being accepted). The clubhouse is design based on Delaware architecture. The clubhouse will be 32,000 square feet, with an aquatic center, indoor pool, golf pro shop, exercise room, locker room, snack bar and office. On the main level of the clubhouse, a meeting room will be available to accommodate 200 people and will be available for the public to rent. The site work for the clubhouse will begin in the next thirty days. Mr. Rocks advised an estimate to complete the clubhouse is eighteen months.

II. APPROVAL OF MINUTES

Minutes of the regular board meeting of August 9, 2004 were distributed for review and approval. Commissioner Correll made a motion to accept the minutes as presented. Motion was seconded by Commissioner Sipple and so carried.

III. CORRESPONDENCE

Town Manager Walls advised a letter was received from the Mr. Tim Curry, owner of the Bridgeville Emporium, inquiring if the town would be interested in holding an antique flea market on the town owned parking lot, corner of Main and Market Streets, on October 9, 2004, during the Apple Scrapple Festival. The lot has not been utilized

during the Apple Scrapple Festival since Market Street was closed to traffic during festival days. After a general discussion, Commissioner Correll made a motion to permit the usage of the town owned parking lot for an antique flea market on Saturday, October 9th, with Mr. Curry making contact and receiving approval from the Apple Scrapple Festival Committee. Motion was seconded by Commissioner Sipple and so carried.

A letter of request was received from the Sussex Central High School Golden Knights regarding sponsorship ads on their 2004 winter sports athletic schedule poster. After a general discussion, no action was taken by the Commission.

Town Manager Walls stated the Department of Agricultural has advised the Delaware Forestry Service and Delaware Urban and Community Forestry Council have approved a \$1,000 grant to the Commissioners of Bridgeville for a 2004 Tree Planting Grant.

A letter was received from the Bridgeville Historical Society advising their annual auction held in August profited over \$7,000. The Society members thanked the town for their \$1,000 donation.

A notice was received from Sussex County Sheriff Robert Reed advising of a Sheriff's Sale scheduled for September 21, 2004, regarding property located at 403 South Main Street. Town Manager Walls pointed out the town does not want to sell properties, but property owners must pay their taxes so that services can continue to all town residents. We are willing to work with property owners in establishing a payment plan, etc. Property owners can make payment arrangements with Finance Director Jesse Savage.

The Commission received an invitation from The Livable Delaware Advisory Council and Office of State Planning Coordination to attend a program entitled Better Models for Development in Delaware on September 23, 2004 from 4:00 p.m. - 6:00 p.m. at the Schwartz Center for The Arts in Dover, Delaware. Governor Ruth Ann Minner will introduce a new guidebook on smart design. Commissioners were asked to respond if interested in attending. President Conaway stated he would be attending.

The monthly newsletter from The Department of Natural Resources and Environmental Control, the summer issue from Delaware Rural Water Association, and a periodic newsletter from the Sussex County Animal Association were received and available for review.

A copy of The Delaware River and Bay Authority 2003 Annual Report was received and is available for review. The report details the Authority's activities in

transportation, economic development, community outreach, as well as their financial condition.

IV. APPROVAL OF FINANCIAL REPORTS AND BILLS PAYABLE

Finance Director Savage explained several new line item changes pertaining to the Heritage Shores Project. A Wastewater Upgrade line item has been added to the Balance Sheet which highlights what the town is spending on the project. Per the FY-05 Budget, escrow accounts in the amount of \$20,000 have been set up for each of the following departments: water, police, wastewater, streets, and administration. After a general discussion and review of the bills payable, Commissioner Correll made a motion to accept the Financial Report and to pay the bills. Commissioner Jefferson seconded the motion. Motion carried.

V. DEPARTMENT HEAD REPORTS

Police - The written report submitted by Chief Allen Parsons advised there were \$20,304 (232 tickets) written in traffic arrests.

Streets - The written report submitted by Superintendent Rick Passwaters advised weeds were sprayed on Delaware Avenue, Railroad Avenue, Laws Street, North and South Cannon Street, and Mill Street. A large fallen tree branch was cut and removed from the corner of North Cannon and Church Streets. Overgrown vegetation was cut and removed from Gum Street. The flower garden in the park located at the corner of Main and Market Streets has been completed.

Wastewater - The written report submitted by Superintendent Phillip Mowbray advised this is the 71st consecutive month without a NPDES violation. Excell Coatings is scheduled to begin work on the lime silo September 14, 2004. A proposed ordinance pertaining to fats, oils, and grease has been sent to the town solicitor for review.

Water - The written report submitted by Superintendent Doug Jones advised 16 water meters were installed at Elizabeth Landing on August 30 and 31, 2004. A low water flow problem was repaired at 35 Church Street.

Town Manager Walls introduced the town's Code Enforcement Constable, Jack Kimlel. Mr. Kimlel began part time employment with the town on August 17th and is in the office on Tuesdays and Thursdays.

VI. CITIZEN'S PRIVILEGE

Mrs. Amanda Joseph of 111 North Cannon Street was present to discuss the property located at 109 North Cannon Street. President Conaway advised the property located at that address would be discussed later in the meeting. He explained the process to condemn a property can be a long process if the owner is not willing to cooperate. Hazardous Building Ordinance No. A03-2 was adopted March 2003, and the Commission has been working to clear properties of hazardous conditions or have properties condemned.

President Conaway explained the procedures that must be followed per Ordinance No. A0-3-2: The Commission must receive two or more written complaints regarding a property, the Dangerous Building Inspection Committee will inspect the property and submit their report to the Commission, and if the Dangerous Building Inspection Committee concludes that the building is a serious hazard to life or property, the Commissioners shall direct a notice of the findings to the owner of the property, and a public hearing will be held to allow the owners an opportunity to show cause why the property investigated should not be declared to be a hazard to life and property and why it should not be ordered to be demolished.

If the town demolishes a property (\$25,000 or more), the cost is attached as a lien on the property. Then there is a concern if this amount of money could be obtained at a sale of the lot.

Mrs. Magill of 110 North Cannon Street had two concerns: (a) she would like to see a speed sign installed near the bend of North Cannon Street (near Frog Harbor). Cars and school buses seem to be traveling at a speed of more than 25 mph, especially around 8:00 A.M. President Conaway requested the police set up patrol in the area and the Town Manager will look into installing a sign; and (b) she questioned who is responsible for the deteriorating sidewalks in front of her house. President Conaway advised the town has a very aggressive street and sidewalk program. Last year there were 15 priority streets and sidewalks which needed repair and there was money allotted to the town to do repairs. The problem was no bids were received from any contractors. The project has re-bid with the comment that the contract will be awarded. Once the bid has been awarded to a contractor, the Town will start do as many repairs as funds will allow. At present, the Town does not know how much the street projects will cost or if additional funding will be received from Senator Adams and Representative Ewing.

VII. TOWN MANAGER'S REPORT

Town Manager Walls advised at the regular monthly meeting on August 9, 2004 a discussion was held and the matter tabled regarding an alleyway near Elliott Drive. After obtaining further information, that matter did not concern an alleyway, but land issues of different property owners. The matter has been resolved.

Town Manager Walls reminded every one that the Opening Ceremony for the Moving Wall will be Tuesday, September 14, 2004 at 6:00 p.m. at the Ross Business Park and Sports Complex on Pine Street Extended, Seaford, Delaware.

Commissioners were reminded of the Ribbon Cutting Ceremony for Marble Source Unlimited, scheduled for September 15, 2004 at 11:00 a.m.

Town Manager Walls advised the town has re-bid the paving of St. Mary's Episcopal Church parking lot located at William and John Streets. The town has an agreement with St. Mary's Church that enables the parking lot to be used for public parking. Bids are due Monday, September 20, 2004.

Town Manager Walls advised the town has re-bid the 2003 and 2004 Street Improvement Project. Those bids are due October 7, 2004 at 4:00 p.m.

Town Manager Walls reminded everyone that Community Clean Up Day is scheduled for Saturday, September 18, 2004. Items to be picked up need to be curb side by 6:00 a.m. with the trash trucks only traveling each street once. A review of allowable and non-allowable items for pick up were reviewed. A truck will go through town to pick refrigerators, freezers and air conditioners as long as the freon has been removed. M-T Trash will also have a truck available to pick up paint, stain, etc., but those items should be separated in front of the property. Large limbs may be delivered to the town's Wastewater Treatment Plant Facility. Directions to an unloading location will be available. A scrap metal container will be available in the Town Hall parking lot for scrap metal items. Residents with abandoned or inoperable vehicles have the opportunity to get rid of those vehicles, free, by contacting CNJ Auto, AD Towing at 302-441-2478 , or Mike Hamilton of Clayton at 629-5625. The title to the vehicle would be an asset but not necessary.

It was pointed out if abandoned or inoperable vehicles are not removed, the Code Enforcement Constable and the police department will start the process of tagging abandoned or inoperable vehicles for removal from properties throughout town.

Town Manager Walls advised that during a recent meeting a discussion was held regarding police officers on a two year probation status with the town, not being allowed to work for other municipalities. The matter was discussed with Town Solicitor Dennis Schrader, who advised the Commissioners would need an agreement with the officer upon the date of hire, so stating they cannot work for another municipality. The town can go forward from this date with such an agreement in place, but officers currently employed with the town, may work for another municipality.

Chief Parsons advised the town currently has three officers working part time with other municipalities: Patrolman Story is employed by the Town of Blades, Patrolman Hitchens with the Town of Greenwood, and Patrolman Coleman with the Town of Cheswold. While working for other municipalities, Bridgeville officers do not wear Bridgeville uniforms and utilize Bridgeville equipment, there is no cost to the town, and officers work the part time jobs when they are not on regular duty for Bridgeville. The officers realize they are on call for emergencies with the Bridgeville Police Department and can be called back to duty. There is no liability to the Town of Bridgeville and each officer has signed a release of liability letter.

President Conaway advised a new paragraph needs to be added to the agreement stating the officer works for the Town of Bridgeville. President Conaway expressed his objection with Bridgeville police officers working for other municipalities. President Conaway stated in his opinion, an officer working two jobs is not safe for the officer or the municipality, and is not a healthy family situation.

Town Manager Walls advised the S.P.C.A. patrolled Bridgeville on Tuesday, August 17, 2004 with no citations issued. One stray dog was impounded and transported to the shelter. On August 31, 2004, they were back in town with one summons being issued for improper housing, and three stray dogs were impounded and transported to the shelter.

Town Manager Walls advised at the Crime Watch meeting on July 27, 2004, some residents stated the youth have no place to go for activities. It was pointed out at the meeting the middle school had playground equipment for the youth, but it had been removed. Town Manager Walls contacted the school and was advised that yes the playground equipment had been removed, but children could utilize the playing fields behind the school. Town Manager Walls explained the need for youth to have an area to play. Just recently, Mr. Barry Cooper, Woodbridge School District, advised the playground equipment would be reinstalled for the communities use.

Town Manager Walls advised the following residents have volunteered to be Crime Watch Volunteers: Lester Williams - Birch Street; Jack Kimlel - Jacobs Avenue, and Nery Linares - South Main Street.

Letters were sent to town civic organizations, Lions, Lioness, and Kiwanis, asking for financial help with needed repairs to the Christmas lights. The total estimated cost for repair of the lights will be \$7,760 which does not include labor. Conectiv has been contacted to see if they could help with the labor. There has been no response from Conectiv as of this date. The Lions Club has responded they will donate approximately \$1,000 towards the project, and the Club has also volunteered to maintain the Bridgeville sign area located on Sussex Highway.

The Town Christmas Party has been scheduled for Saturday, December 4, 2004 at the Seaford Golf and Country Club with Social Hour starting at 6:30 p.m. and dinner at served 7:30 p.m.

President Conaway advised the town will be receiving a deed of transfer for the athletic field land currently owned by Passwaters Farm, LLC. The parcel will continue to be used by the Little League, but the town will be in a position to make improvements on the land if necessary. There are no plans to close the dirt road to the athletic field.

Town Manager Walls advised the painters have a few areas left to paint and the Town Hall will be completed.

Commissioner Jefferson advised Mt. Calvary Church, 28 Church Street, has requested permission to place orange cones on Church Street in front of the church during funerals or special events. After a general discussion, Commissioners agreed to the request.

VIII. OLD BUSINESS

President Conaway opened the scheduled public hearing at 8:03 p.m. pertaining to the second and final reading of an Amendment to Chapter 114 - Curfew. President Conaway explained the code provides for two curfew provisions: Halloween and General Provisions. Under the two articles, there are inconsistencies dealing with allowable curfew age. The proposed amendment will have both articles to state under the age of 18 for youth to be off the streets. The proposed amendment curfew times would be from 11:00 p.m. until 6:00 a.m. to 9:00 p.m. until 6:00 a.m., on all nights of the week except Friday and Saturday nights, which shall change from 12:00 midnight to 9:30 p.m. until

6:00 a.m. An exception being if a youth were returning home from school, church, or work related activities. The Halloween curfew time is proposed to remain the same, 9:00 p.m. President Conaway advised the fines relating to curfew violators are proposed as follows: The first offense the police officer will take the youth home and warn the parent(s) of their responsibility. On the second offense, the youth would be arrested which would carry a \$50 fine and each subsequent fine would double in price.

President Conaway opened the meeting for public comment. A resident stated he thought a 9:30 p.m. curfew for a seventeen year old was early especially if the youth was attending an out of town event. President Conaway advised nine year olds and younger have been seen standing on street corners at 11:00 p.m., and legally the police officers cannot do anything about the matter because there is no ordinance stating that youth is violating any law. If the proposed changes are adopted, the officers will be allowed to take the youth home and make the parent who apparently is not being responsible, stand accountable. President Conaway explained the proposed curfew change is a result of a meeting with residents attending a Neighborhood Crime Watch meeting.

One resident had a concern relating to school age children walking the streets during the day. President Conaway advised the school district should be contacted and their Resource Officer would handle the matter.

Commissioner Jefferson stated he believes the curfew hours should be 10:00 p.m. on week nights and 11:00 p.m. on Fridays and Saturdays. Commissioner Greason commented the proposed times are far too restrictive, but he does believe in a curfew. He isn't ignoring the concerns of the public but this is the most restrictive curfew he has ever heard of.

Commissioner Correll stated residents she had talked with supported the new hours, but she thought the curfew hour might be 10:00 p.m. After a general discussion, Commissioner Jefferson made a motion to amend the proposed curfew hours from 9:00 p.m. during week nights to 10:00 p.m. and weekend hours from 9:30 p.m. to 11:00 p.m. Motion was seconded by Commissioner Greason. The votes with Commissioners reasoning were as follows:

- Commissioner Jefferson - Yes - It is not the Commission's place to keep the youth off the streets. If the youth are in the wrong, then the police will handle the matter.
- Commissioner Sipple - No - Ages and proposed times are wrong.
- Commissioner Greason - Yes - Agrees with the motion, but still believes proposal is too restrictive for 15 and 16 year olds.
- Commissioner Correll - No - Would like to leave the curfew hours and times as presented in the proposed amendment.

President Conaway - No (reason previously offered)

Motion defeated.

Following further discussion, Commissioner Greason made a motion to amend the curfew and table the matter in order to receive other suggestions. Commissioner Jefferson seconded the motion. Votes were as follows to table the motion:

Commissioner Jefferson - Yes
Commissioner Sipple - Yes
Commissioner Greason - Yes
Commissioner Correll - Yes
President Conaway - No

Motion carried.

President Conaway stated the Commission was sent a message from residents of their concern to change the curfew. The Commission is avoiding their responsibility to protect the public. Motion to table the curfew proposal was approved. President Conaway stated the police must be careful in hassling any youth because they have not been given authority by the Commission. The public hearing closed at 8:31 p.m.

President Conaway opened the public hearing at 8:32 p.m. pertaining to Town Ordinance No. A03-2- Maintaining of Dangerous Buildings, regarding 38 Church Street and 102 North Main Street. The Dangerous Building Inspection Committee investigated the two properties and submitted their findings to the Commission. The Inspection Committee recommended the buildings be condemned. Mr. Stephen Anderson, owner of 38 Church Street, and Mr. Alvin Tribbett, owner of 102 North Main Street, were notified of the public hearing date and time. President Conaway advised the owners were not in attendance. Per the Ordinance, the owner of 38 Church Street which is vacant will be notified that the building must be brought up to code or the town will proceed with demolition. There is a concern with the property at 102 North Main Street because it is not vacant at this time. Commissioner Jefferson made a motion to condemn structures on the properties located at 38 Church Street and 102 North Main Street, with the Main Street structure being handled as needed because of residents in the dwelling. Motion seconded by Commissioner Sipple. Motion carried. The public hearing closed at 8:34 p.m.

President Conaway and the Commission had an opportunity earlier in the evening to see a demonstration of the proposed Altigen telephone system which was discussed at the August meeting. A general discussion was held on the Town Hall phone system which was budgeted for FY-2005. A request was made to Atlantic Telephone and Data

Solutions of a cost to update the telephone system at the police station. Commissioners stated that at this time, there was not a need to update the system at the wastewater treatment facility due to the fact the employees have cell phones and this is their main source of communication. The bid package to bidders included the following upgrades: voice mail, music on hold, conference calling, answering service, and messages for after hour calls. Finance Director Savage presented the received proposals:

Communications and Wiring -Dagsboro, Delaware - \$6,367

 Their system would be what is being used now, but a newer version.

Telewire and Communication - Salisbury, Maryland - \$4,515

 Same system, but newer version.

Atlantic Telephone and Data Solutions - Harrington, Delaware - \$8,568.18

 They offer the same system and The Altigen Communication System which is computer based, allowing software for upgrades when needed.

After reviewing the proposed telephone systems, Finance Director Savage's recommendation to the Commission was the Altigen Communications System for a cost of \$8,568.18. After a general discussion, Commissioner Correll made a motion to purchase the Altigen Communication System from Atlantic Telephone and Data Solution in the amount of \$8,568.18 for the Town Hall, with a cost to be submitted for the police station. Motion was seconded by Commissioner Greason. Motion carried.

Finance Director Savage advised the town is trying to establish a web page. The site will allow for the town's history, services available, demographics, attractions, points of interest, information on the school district, etc. Meeting agendas and notices could also be posted on the site. The site would be an asset to people interested in relocating to this area. Discussions have been held with three companies:

The Sentinel Group
Delmarva Digital
Delaware.net

A representative from Delaware.net was to have a cost package to the town several days ago, but has failed to do so. Finance Director Savage advised the representative from Delmarva Digital offered to include everything discussed, including pictures, and an on line tax payment feature (optional for the future) at a cost of \$2,400.

The Sentinel Group offered the same package as Delmarva Digital. The Sentinel Group cost would be \$250 per month for maintenance for the first three months; the next nine months would be \$150 (\$5,000 per year), cost \$3,000.

After a general discussion, Commissioner Correll made a motion to award the town's web site contract to Delmarva Digital for a cost of \$2,400 with the understanding that before the web site goes on line, it will be presented to the Commission for review. Motion was seconded by Commissioner Greason. Motion carried.

President Conaway advised an upgrade for the tax program was installed in FY-04, but now the town is in a position to install a complete enhancement of the utility software (in anticipation of 2000 additional homes). The proposed utility software program will handle 5,000 accounts. Finance Director Jesse Savage advised that once the Commission selects utility billing software, we can then choose a meter system that is compatible. After a general discussion, Commissioner Greason made a motion to purchase the utility billing software from IMSoftTech that was recommended by Finance Director Jesse Savage at a cost of \$3,450. Motion was seconded by Commissioner Correll. Motion carried.

President Conaway suggested the City of Wilmington Animal Code be discussed at a later date.

IX. NEW BUSINESS

President Conaway advised the Town of Greenwood has requested the town reserve for growth allocation, an additional 60,000 gallons per day of wastewater for the time period of twenty years. Town Engineer Annie Williams, Davis, Bowen & Friedel, Inc. advised the town's treatment facility has the capacity to accept the additional gallons requested. President Conaway stated he presented the letter to the town engineer so they could make plans for additional usage from Greenwood. President Conaway advised the town's wastewater facility has limited capacity and the town should not be allowing for additional impact. What is more concerning is that it appears the capacity is over and above what the wastewater facility plan states the town can do. After a general discussion, it was decided to have Miss Williams attend the October 4, 2004 meeting to discuss Greenwood's request. Commissioner Correll made a motion to table the request until the next meeting. Motion was seconded by Commissioner Greason. Motion carried.

On July 14, 2003, the Commission granted Ms. Lisa Miltenberger a conditional use for property located at 419 South Main Street in order to operate a home décor business. A stipulation by the Commission was the business would be in operation in one year. Progress is being made on the renovations of the structure, but Ms. Miltenberger is seeking a one year extension due to unforeseen family crises, which is allowed per Ordinance #A03-8 - Conditional Use. After a general discussion, Commissioner Greason made a motion to extend the Conditional Use on the property located at 419 South Main Street for one year. Motion was seconded by Commissioner Sipple. Motion carried.

President Conaway explained a particular situation where an employee was allowed to schedule an elective surgery during a period of time when the presence of that employee would have been better on the job. President Conaway presented an Amendment to The Personnel Policy Manual, Section 8. Sick Leave as follows:

- (4) Non-emergency/elective surgeries that will require an employee to be absent from their regular work duties for more than a week, must be scheduled in advance and approved by the employees Department Head, the Town Manager and Commissioners of Bridgeville.

After a general discussion, Commissioner Greason made a motion to reduce the time period to three days. Motion was seconded by Commissioner Sipple. After a general discussion, the Commission voted as follows:

Commissioner Greason - Yes
Commissioner Correll - No
Commissioner Sipple - No
Commissioner Jefferson - No
President Conaway - No

Following further discussion, Commissioner Jefferson made a motion to introduce for a first reading an Amendment to the Personnel Policy Manual, Section 8. Sick Leave as first presented above. Motion seconded by Commissioner Sipple. Motion carried.

President Conaway deferred the first reading Amendment to Chapter 90 - Brush, Grass and Weeds to the October 4, 2004 meeting.

Town Manager Walls advised this year Halloween, October 31st, falls on a Sunday. After a general discussion, the Commission decided to hold "trick or treat" night in Bridgeville on Saturday, October 30, 2004, from 6:00 p.m. to 8:00 p.m.

President Conaway explained that residents who have swimming pools and choose to fill them with a garden hose have to pay extra for their sewer fee even though that water is not going into the sewer system. For the past several years the town has permitted those people with pools to use a pool meter. The meter attaches to their hose when filling their pool and the gallons used is deducted from their sewer bill. Finance Director Savage explained that it is costly to the town to have these meters constantly going out to the residents. He suggested allowing a one time (first of the season fill up) use of the meter to those people with pools giving them an adjustment for the fill up or capping off of their pool. After a general discussion, the Commission agreed to change the pool meter policy to only allow residents to benefit from the pool meter adjustment once a year.

President Conaway presented a signed letter from Mr. and Mrs. Joseph of 111 North Cannon Street and Mr. and Mrs. Magill of 110 North Cannon Street sighting 109 North Cannon Street as a property in disrepair. The Dangerous Building Inspection Committee will investigate the complaint and submit a written report to the Commission at the October 4, 2004 meeting as required by Ordinance #A03-2 - Maintaining of Dangerous Buildings.

Town Manager Walls advised the town has a disposal contract with The Delaware Solid Waste Authority which will expire soon. The current landfill fee is \$58.50 per ton and the new cost will be \$61.50 per ton. The new price will begin in 2005 and be effective to 2010. After a general discussion, Commissioner Jefferson made a motion to approve the contract with The Delaware Solid Waste Authority as presented. Motion seconded by Commissioner Sipple. Motion carried.

President Conaway advised a resident registered a concern of not being able to see on-coming traffic when exiting from the stop sign on John Street. President Conaway advised at one time, John Street was a one-way street going west, and maybe should be reconsidered. A suggestion was made to place a mirror at the exit, with the Commissioners feeling a mirror would not last long. After a general discussion, it was decided to investigate the situation.

President Conaway stated property owners are to keep their trees, hedges and bushes from extending onto sidewalks and alleyways per Chapter 90 in the Code Book. Letters were sent to the few residents in town that allowed their trees and bushes to extend over in passageways and a number of property owners did bring their property into compliance. Per Town Code Chapter 90 - Brush, Weeds, and Grass, the town has the authority to correct the violation and bill the property owner as follows:

\$35.00 per hour - manpower
\$50.00 per hour - vehicle and equipment

Town Manager Walls and Street Superintendent Rick Passwaters will send a letter to the property owners who did not comply and give them a date to bring their property into compliance or they will be billed if the town corrects the problem.

Commissioner Sipple made a motion to take Chapter 90 - Brush, Grass and Weeds, off the table. Motion seconded by Commissioner Correll. Motion carried. Discussion continued on Chapter 90.

Town Manager Walls advised the proposed amendment to Chapter 90 will permit the town to impose a fine of \$250 for administrative fee to property owners who do not

comply with Chapter 90 when the town has to correct the violation. In addition, the Chapter will have an added section that will not permit property owners to place their grass, etc. out into streets, alleyways, passageways, sidewalks or walkways. The clippings clog the storm drains.

President Conaway stated the town has established a policy of \$35 per hour for manpower and \$50 per hour for vehicle and equipment. Per Section §90-6 - Issuance of notice - compliance required: allows the town to charge an administrative fee and set the price as necessary. After a general discussion, Commissioner Correll made a motion to establish a \$250 administrative fee for property owners who do not comply with Chapter 90 -Brush, Weeds and Grass, and the town corrects the violation. Motion seconded by Commissioner Jefferson. Vote as follows:

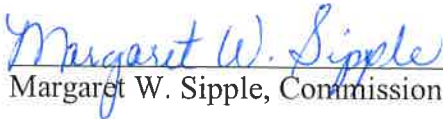
Commissioner Jefferson - Yes
Commissioner Sipple - Yes
Commissioner Correll - Yes
Commissioner Greason - No
President Conaway - Yes

Motion carried.

XII. ADJOURNMENT

Commissioner Sipple made a motion to adjourn the meeting at 9:43 p.m. Motion seconded by Commissioner Correll and so carried.

Respectfully submitted by:


Margaret W. Sipple, Commission Secretary


Alma Fleetwood, Transcriptionist