

**MINUTES OF THE MILLVILLE
TOWN COUNCIL MEETING
September 13, 2016 @ 7:00 p.m.**

In attendance were Mayor Bob Gordon; Deputy Mayor Steve Maneri; Secretary Valerie Faden; Council Member Steve Small; Town Solicitor Seth Thompson, Town Manager Debbie Botchie, and Town Executive Assistant Matt Amerling. Treasurer Susan Brewer was absent.

1. CALL MEETING TO ORDER

Mayor Bob Gordon called the meeting to order at 7:05 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ADOPTION OF TOWN COUNCIL MINUTES AND NOTES

A. Adoption of Town Council Minutes – August 9, 2016

Council Member Valerie Faden motioned to approve the minutes from the August 9, 2016, Town Council meeting. Deputy Mayor Steve Maneri seconded the motion. Motion carried 3-0.

4. FINANCIAL REPORT – Town Manager Debbie Botchie

A. August 2016

Town Manager Debbie Botchie read the Financial Report for the month ending 8/31/16.

August 31, 2016:

General Revenue:	\$ 60,583.	Restricted Revenue:	\$ 104,206.
General Expenses:	44,886.	Restricted Expenses:	103,112.

Council Member Valerie Faden motioned to approve the Treasurer's Report for the month ending August 31, 2016. Deputy Mayor Steve Maneri seconded the motion. Motion carried 3-0.

5. ADMINISTRATIVE MATTERS

A. Administrative Report for August 2016 – Town Manager

Town Manager Debbie Botchie stated the 2016 Great Pumpkin Festival group (Matt Amerling, Debbie Botchie, Robin Caporaletti, Valerie Faden) has been working very diligently and so far, everything is in place for the festival on October 1, 2016, from 10 a.m. to 2 p.m. Ms. Botchie stated the festival this year is going to be held at the Town's newly acquired park property on 32517 Dukes Drive, and there are going to be lots of activities for kids this year, as well as local band, The Funsters, playing music.

6. NEW BUSINESS

A. Discuss and possible vote on the Town of Millville's FY16 Audit. *Synopsis:* Mr. Herb Geary of the TGM Group, LLC, will present to Council the Audit Communications and Financial Report.

Council Member Steve Small arrived and apologized for his tardiness. Mr. Herb Geary, of the TGM Group, LLC, stated a big thanks to Town Manager Debbie Botchie, Council and staff, especially Town Financial Administrator Lisa Wynn, for helping to prepare the Audit team for this audit and it makes this job a pleasure. Mr. Geary stated on pages three (3) to five (5) is TGM Group's Independent Auditors' Report, which is based on financial statements, and it's the same opinion the Group has given the Town in the past, which is the highest level of assurance the Group can give a local government. Mr. Geary stated the next thing is the interim control letter, and the only comment listed, which has been the same comment for years and is fairly typical for a smaller-sized local government, is that the Town only has one part-time employee helping with accounting, but the Town does everything it can with segregation of duties, and the TGM Group does not have a problem with it, and the Town does a great job with the staff it does have. Mr. Geary stated the next six (6) pages starting on page eight (8) is Ms. Botchie's narrative of the financial activities of the year and what is happening with what monies throughout the upcoming year; and it is a good synopsis of what the Town is doing financially.

Mr. Geary stated starting on page sixteen (16), the first set of financial statements contain all of the receivables, the liabilities, all of the Town's fixed assets. Mr. Geary stated the only big difference has to do with the building construction behind Town Hall, and the amount the Town has spent so far. Mr. Geary further stated on page eighteen (18), TGM lists the Town has \$3.6 million in cash on hand, and when the restricted cash of \$4.7 million is added to that sum, the Town has \$8.3 million available to it; and the Town does an outstanding job of making sure the cash is successfully insured or collateralized. Mr. Geary further stated the unassigned fund balance of \$3.6 million is cash which can be used for any purpose Council sees fit. Mr. Geary stated on page nineteen (19), Council will see the reconciliation between the two sets of financial statements and the big difference is good capital outlay. Mr. Geary stated on page twenty (20) the revenues, expenditures and changes in fund balance are listed, and the Town's total annual expenditures for FY16 were \$1.5 million, but that includes \$944,445.00 capital outlay. Mr. Geary further stated the local governments measure the unassigned fund balance to total expenditures – that is a key ratio for any local government to compare each other with – and a normal, strong ratio is about twenty percent (20%), and the Town of Millville is two-hundred percent (200%); so the Town “hit it out of the ballpark.” Mr. Geary stated the total fund balance increased \$1.2 million – the previous year was about \$1.3 million, so that is a steady, consistent balance amount.

Mr. Geary stated on page twenty-two (22) are the notes to financial statements and they are there to describe the Town's accounting policy, furthering detail on the Town's fixed asset, its capital assets, the retirement plan also being described, and the notes are there to provide further details on the financial statements. Mr. Geary stated the last four pages of the financial report are the budget versus actual results for the Town. Mr. Geary further stated pages twenty-nine (29) and thirty (30) are the Town's general fund revenue and expenditure detail; and the last couple of pages are the restricted funds. Mr. Geary stated the general funds on page 29, the actual revenues were over budget by \$511,000.00, and the Town's actual expenditures were under budget by \$48,000.00. Mr. Geary stated regarding the restricted funds on the next two pages, the reason for the Town being under budget is the entire cost of the new municipal building was budgeted for, in FY16, \$1.6 million, but the Town has so far only spent \$944,000.00 in this particular fiscal year. Mr. Geary stated there are no new governmental standards which TGM or the Town should concern themselves with.

Mr. Geary stated the second book, the Audit Communications, is nothing new and only contains a letter from TGM to Council, highlighting various aspects of the audit, and there is nothing to worry about as the Town is fiscally sound, and is a well-run organization. Mr. Geary stated his praise for Ms. Wynn and her consistently sending updates throughout the year so TGM is prepared come every audit time. Town Manager Debbie Botchie stated her thanks to Ms. Wynn as well for her knowledge, dedication and hard work.

Council Member Faden motioned to approve the Town of Millville's FY16 Audit. Deputy Mayor Maneri seconded the motion. Motion carried 4-0.

- B.** Discuss and possible vote on Municipal Wide Discount Ambulance Subscription Service Agreement – Town Manager. *Synopsis:* At the January 26, 2016, Town Council Workshop meeting, Millville Volunteer Fire Company (MVFC) President Doug Scott presented the program to Council, who decided to hear more about the program at a later public hearing. On February 9, 2016, Council held a Town public hearing meeting to discuss and vote on the program. Council voted 2-0 (with 1 abstention) to approve the program for the Town.

Deputy Mayor Maneri recused himself from the dais. Town Manager Debbie Botchie stated the Council wanted Ms. Botchie, the Town of Ocean View, and Millville Volunteer Fire Company (MVFC) President Doug Scott, MVFC EMS Chief John Watson, and MVFC Financial Administrator Velicia Melson to rework the ambulance agreement. Ms. Botchie stated they drafted an agreement, which Council tweaked and was rewritten, then sent to Town Solicitor Seth Thompson, who added legal language to protect the Town as well as its residents. Ms. Botchie stated the financial problems of the MVFC were discovered shortly after the agreement was approved by Council on February 9, 2016.

Council Member Faden stated she has some things she wanted to discuss about the contract, but, before the contract, Ms. Faden has some broader issues about the MVFC and some things that happened there after the February 2016 Council meeting. Ms. Faden stated as a result of the inspection report from the State of Delaware Office of the Auditor of Accounts, Ms. Faden has some questions for the MVFC representatives here tonight to see whether or not some of the recommendations given to them many years before the audit took place have been addressed and/or implemented. Ms. Faden stated one of her main concerns was what was identified in the audit, and for three (3) consecutive years before it, that there is a written policy in the procedures that needed to be adopted about the financial operations, other than officer position descriptions in writing and the by-laws budget policy. Ms. Faden further stated she would like to ask what information has been added to the MVFC policies and procedures, and what information has been added to the MVFC's by-laws to address the deficiency. Ms. Velicia Melson, MVFC Financial Administrator, stated the by-laws have not been rewritten but it is "in the works" to do so, and, much like the Town changing its Charter, it will take the MVFC some time. Ms. Melson stated she was hired in March 2015, and in May 2015, Ms. Melson discovered the MVFC had some deficiencies, which were immediately investigated by the officers of the MVFC. Ms. Melson stated she and the officers contacted the Office of the Auditor of Accounts, which began the entire process. Ms. Melson stated prior to this audit with the Audit of Accounts, the MVFC has never been audited by the State Auditor. Ms. Melson further stated the deficiencies noted in the Auditor's report have a three-year statute of limitations, which, in this case, was from

January 1, 2012, which is the time the former treasurer became the treasurer, to the time he (the treasurer) was suspended from the MVFC, pending the investigation. Ms. Melson stated since that time, the president, the vice president, each budget chair which would be the Fire Chief, the EMS Chief, the secretary, the board of directors, are now looking at every expenditure for the fire company; they are approving any purchase costing over \$500 before the purchase takes place. Ms. Melson stated the treasurer and the vice president are both monitoring those budget expenditures. Ms. Faden asked how often the monitoring is taking place. Ms. Melson stated monthly, and the MVFC has quarterly budget reviews with the entire budget committee.

Ms. Faden asked how long it will take the MVFC to adopt its new by-laws, policies and procedures. Ms. Melson stated, in her estimation, the audit report came out in May 2016. Ms. Faden stated it has been four (4) months since May so how long will it take to revise the documents? Ms. Melson stated it may take another three (3) to four (4) months. Ms. Faden asked if Ms. Melson created a “due from” account to track funds transferred between fire and EMS companies. Ms. Melson stated yes. Ms. Faden asked Ms. Melson if she completes monthly reconciliations to zero the accounts. Ms. Melson stated yes, the MVFC had everything in four (4) accounts and now it is in seven (7) different banks so the MVFC is under the FDIC limit. Ms. Faden asked how often the MVFC does its bank reconciliation and who reviews them. Ms. Melson stated she is reviewing the bank accounts daily, the bank statements are reconciled monthly, the treasurer and the vice president review the reconciliations, and if one or the other of them cannot review it then it goes to a board of directors and to the president. Ms. Faden asked if Ms. Melson is including details in Quickbooks retaining what items are specifically being purchased. Ms. Melson stated yes, “ad nauseam.” Ms. Faden asked for an example. Ms. Melson stated if the MVFC has an ambulance repair, that repair is listed by line item on the invoice so she knows exactly what was done to the ambulance, at what cost, and if they go out and purchase five (5) bolts for the ambulance’s bumper, that purchase is recorded in Quickbooks. Ms. Faden asked if there is a spreadsheet in place which monitors grants that are required to be spent on specific items. Ms. Melson stated yes, the MVFC has a spreadsheet for income as well as for expenses, and all invoices are maintained in the treasurer’s office and that reconciliation is provided to the grantor at request. Ms. Faden asked if the payroll, wages and taxes are listed separately from budgeting. Ms. Melson stated yes. Ms. Faden asked if the budget versus actual reports list details of each transaction. Ms. Melson stated yes. Ms. Faden asked regarding the approval of every purchase over \$500, if all bills and invoices presented to the membership for approval, including the credit card transactions. Ms. Melson stated yes and all debit cards have been cancelled, there is no cash back on any transactions for the MVFC. Mr. Watson stated when they make a purchase, they have a form they need to fill out, code it, write in a description and sign off on it. Mr. Watson stated that sheet does not go forward and the treasurer will not write a check without a copy of the receipt or packing slip(s) – if it’s something ordered. Ms. Melson stated all checks require two (2) signatures and Ms. Melson does not sign the checks. Ms. Faden asked in regards to audited statements versus reviewing statements and a level of what should be required or what is recommended, when the MVFC’s budget year ends? Ms. Melson stated MVFC’s budget year ends January 31, 2017. Ms. Faden asked if the Town would not have audited statements until the end of January. Ms. Melson stated the MVFC’s audit, which is a review, is calendar year because, for tax purposes, when the MVFC files the 9-90, the time period will be from January 1 to December 31.

Ms. Faden asked about the MVFC having an independent, certified public accounting (CPA) firm as required by Delaware State Code to prepare the review. Ms. Melson stated the MVFC had a CPA firm from 2012 to present (2016) prepare the review. Ms. Melson further stated the difference was that review was attended by one (1) individual, which was the individual whom had control of everything; however, that review is now attended by everybody on the budget committee – the president, the vice president, the Fire Chief, the EMS Chief, the Board of Directors, as well as the bookkeeper, the treasurer – so any concern is addressed to the group and not one (1) individual. Ms. Faden stated she thinks what the letter she just read from is getting at is the person who reviews the statements has to have a certain level of professionalism, education, and standards they apply in conducting the review, so that is something Ms. Faden also is concerned with regarding the next review or audit period. Ms. Melson stated the MVFC historically did just that, and will in the future because it is required for funding purposes. Town Solicitor Seth Thompson asked if it is a review or an audit. Ms. Melson stated it is a review and the accounting firm has stated an audit is not really worth the time or the money because the MVFC would not get a benefit. Ms. Melson stated an audit would be approximately \$30,000.00 per year whereas a review may be \$8,000.00. Ms. Faden asked if the MVFC has checked with other firms who are qualified to do the review. Ms. Melson stated the MVFC has checked and the Sussex County Volunteer Firefighters Association (SCVFA), as well as Delaware Volunteer Firefighters Association (DVFA), has developed a task force and they are looking into a review versus an audit, and what standards with which the fire services are going to be held. Ms. Faden stated that aspect will have to be something the Town will have to await to follow up on. Mr. Thompson stated that will be for the fire service as opposed to the ambulance service. Ms. Melson stated yes. Ms. Faden stated one thing she noted in the recommendations was any new policies and procedures in place for monitoring fundraising events which seemed to be a deficiency, so how will the MVFC compare the fundraising events reports to deposits. Ms. Melson stated with the fundraising events, the bank is now counted by two (2) individuals prior to it and then turned over to the treasurer's office, which is then counted by the treasurer's office and received as provided to the individual, who turns that bank over, and that receipt becomes part of the public record, having the receipt attached to the bank slip through Quickbooks, and finally the bank teller receipt. Ms. Melson further stated each fundraiser has a profit and loss statement of its own so there is the revenue of it coming in as the expense is going out, and the net profit can be viewed.

Ms. Faden stated in previous Town Council meetings, there was mention of the MVFC processing the cost of an ambulance run by billing insurance companies and Medicare, and asked if that is still taking place, and does that need to be listed in the agreement before Council tonight. Mr. Thompson stated he takes that to be the case, yes. Mr. Watson stated the MVFC still bills insurance first for the transport. Ms. Faden stated there was previous talk about charging more for a business or a parcel which has multiple businesses on it so those types of parcels would have a fairer fee assessed to them versus a residence which might have a maximum of something like five (5) people, whereas a business would have thirty (30) or forty (40) employees or a property had multiple businesses on it, Ms. Faden doesn't know the amount of people limited to the service, so Ms. Faden would like to see the agreement modified for that purpose. Mr. Thompson stated he attempted to address such an issue, so if Council would reference page one (1), on number four (4), "... properties improved by multiple units (such as condominiums, cooperatives, and shopping centers) being assessed the fee per occupied unit." Mr. Thompson stated he doesn't think the Town has any condos or cooperatives. Ms. Botchie

stated the Town has no condos. Mr. Thompson stated because the language he just stated is in the agreement, the fee will go to individual units and/or parcels rather than one fee for one big parcel. Ms. Faden asked, for instance, for the Town Shopping Center, how will this paragraph address that parcel with the Giant, the Hallmark store, etc., and is each business paying the \$35 ambulance fee regardless of the number of employees. Ms. Botchie stated yes. Mr. Thompson stated the fee will show up on their tax bill and will be based on the occupied number of units in the shopping center, so if a unit is vacant, they will not have to pay the \$35.

Ms. Faden stated, under the "General Provisions," on page three (3), number seven (7), the agreement states, "... this agreement does not guarantee the delivery of ambulance services by the Millville Volunteer Fire Company Inc. Ambulance Service based on various factors affecting crew availability." Ms. Faden asked if the ambulance will not come from Millville, then the Town is guaranteeing an ambulance service will respond. Mr. Watson stated yes, some ambulance service will respond. Ms. Faden asked how will the Town know if that ambulance service will be on the "no charge list" and honor the \$35 fee. Mr. Watson stated the MVFC ambulance service already does it with their current \$50 fee. Mr. Watson stated if both of Millville's ambulances are out but there is another call, then Bethany Beach ambulance will have to respond, then Bethany Beach will bill the insurance and call MVFC to inquire if the passenger is a subscriber. Ms. Faden asked how will the MVFC know who is a subscriber. Mr. Watson stated the MVFC will look up the name in their database. Ms. Faden asked if Council could put some language in the agreement to say the MVFC's ambulance fee would cover the cost if another town's ambulance responded. Mr. Watson stated he does not believe such language needs to be in this agreement because the other towns do not care about this particular contract and there may be some instances where an ambulance from any different number of towns may respond. Mr. Watson asked Ms. Faden if she would like to see each town listed in the agreement. Ms. Faden stated if Council or the MVFC is going to impose a fee which is not an option for the townspeople of Millville, then she would want to guarantee the townspeople will be getting a service at the price for which they are contracted. Mr. Watson stated the townspeople will get that service. Ms. Faden stated she is not sure about that because now Mr. Watson is saying it could be another ambulance who is not on this list and they might not honor the agreement. Mr. Watson stated, internally, there is an agreement between the different fire companies so if a Millville ambulance goes to Bethany Beach or vice versa, then that ambulance honors MVFC's subscriptions. Ms. Faden asked if the MVFC could guarantee that everyone in town who is paying the \$35 subscription fee will be covered regardless of which town ambulance service responds. Mr. Watson stated yes. Ms. Faden asked if that aspect could be put into writing in the agreement. Mr. Watson stated he cannot guarantee that a Millville resident subscriber will not get a bill from another town ambulance agency for the difference, but he can guarantee if the resident does get a bill, the resident will have to call Mr. Watson so he can clear it up with the other town ambulance agency. Mr. Thompson stated he could add a number eight (8) with language such as, "In the event that a fire company other than the MVFC renders service to a paid subscriber and that paid subscriber receives a bill, the bill will be forwarded to the MVFC for the MVFC to resolve the charge." Mr. Thompson asked if that language was satisfactory. Ms. Faden stated yes, but, at this time, she personally would not feel comfortable voting for this agreement until the by-laws have been changed and the language as was just discussed had been added into the agreement.

Mayor Gordon asked if the MVFC has the same bill collection company they had about five (5) years ago. Mr. Watson stated five years ago was around the time when the MVFC changed companies from American Legion billing to DMMS, because American Legion was all paperwork, no computers and nothing was electronic to send out invoices. Mayor Gordon stated he got charged three (3) times and after he called and had the account written off, Mayor Gordon found out his insurance company was still charged three times for the same run and Roxana was the one that did the delivery. Mr. Watson stated in that instance, those charges had nothing to do with the MVFC's billing service. Mayor Gordon asked if it would take about four (4) months to rewrite the by-laws. Ms. Melson stated that estimate is her guess because the by-law committee consists of a group of volunteers, and there are policies and procedures in place as to how the by-laws are rewritten, and when there is a change to a section of your by-law, it affects other sections of the by-law, so the entire by-law has to be reviewed. Ms. Botchie stated she understands the MVFC's process, procedures and its timeliness as it took the Town about one (1) year to amend its charter. Ms. Faden stated the MVFC, however, is not a municipality and its review board is made up of volunteers, so Ms. Faden would hope, with the seriousness of this particular issue, it would help to enhance the incentive of the volunteers to work on this by-law change a bit more quickly. Ms. Melson stated not only has the MVFC gone through the State audit, but it has also been through a forensic audit with the insurance carrier, so since May 2015, this change to the procedures has been a full-time, non-stop change and the MVFC is not where they need to be quite yet, but the MVFC is in much better shape than what they have ever been.

Mayor Gordon asked if the Town could look again at this agreement after the by-laws are changed, maybe in January or February. Ms. Botchie stated, from the Town side, no, because the Town has to begin preparing its budget starting in November 2016 for the following year. Mr. Watson asked if the MVFC would have to complete the review and approval of their by-laws by November. Ms. Botchie stated the decision would be up to Council. Mr. Watson stated the by-law changes/additions take at least two (2) readings before the committee can vote on it. Ms. Melson stated the committee also only meets the first and third Tuesday of every month. Council Member Steve Small stated this has been a difficult time for a justifiably proud organization, and Ms. Melson has demonstrated tonight that the MVFC was very fortunate to have hired her. Mr. Small stated his thanks to Ms. Faden for her diligence and work on this issue, and Mr. Small believes Ms. Faden is asking the very questions most of the public would be asking. Mr. Small further stated he believes it is worth the wait to get all of the by-laws approved and put into place, and Mr. Small would like to see both the MVFC and the Town expedite the changes to the agreement as quickly as possible. Mr. Watson asked when Council would like for the MVFC to have its by-laws implemented. Mayor Gordon stated he would think December 1, 2016, so the Council could discuss the agreement at its December 2016 Council meeting, and also so the Town of Ocean View would have the same assurances from the MVFC having its by-laws in place. Mr. Small asked Mr. Thompson if Council could approve the agreement with the conditions regarding the by-laws and language over concerns discussed this evening. Mr. Thompson stated yes, and his suggestion would be to add language to the agreement so "if another ambulance service other than MVFC furnishes its ambulance service to an individual covered under this agreement, then that ambulance service bills the individual, the bill will be forwarded to the MVFC for its revolution." Mr. Thompson stated the other element to the agreement would be conditioned upon "the revised by-laws and adopted policies and procedures acceptable to the Town (of Millville)." Ms. Faden stated she would like to add the condition of quarterly review meetings – rather than annual reviews – between the Town and MVFC

representatives to review the expenditures. Mr. Watson stated all of the monies will be spent in the first quarter because the EMS budget for the year is \$1.1 million, and the payroll is \$14,000.00 to \$16,000.00 per week, therefore, the money will go toward that expense. Mr. Thompson stated he could put in language stating, “at the end of the first quarter and every quarter thereafter, the Mayor or the Mayor’s designee shall meet with the MVFC representatives to review the quarterly expenditure reports.” Mr. Watson stated he is fine with the language regarding the bill from another ambulance service going to the MVFC, but if a property owner subscriber gets billed by another town’s ambulance service, then the subscriber needs to contact Mr. Watson or the MVFC to get the bill forwarded to the MVFC, otherwise, Mr. Watson and the MVFC will not know to pay it.

Council Member Faden motioned to conditionally approve the Municipal Wide Discount Ambulance Subscription Service Agreement with the conditions that a section/number eight (8) be added regarding language such as a paid subscriber’s bill from another ambulance service being covered by the MVFC, as well as the MVFC’s by-laws being modified, and section/number five (5) being amended regarding changing the expenditure review meetings from annual to quarterly. Mr. Small seconded the motion. Motion carried 3-0-1 abstention.

- C. Discuss Ordinance 17-04 and possible vote to schedule a public hearing – Town Manager.
Synopsis: Ordinance 17-04 amends Town of Millville Code at Chapter 155, Article IX, entitled “Sign Regulations,” which adds more definitions regarding prohibited signs as well as giving the Town more restrictive prohibited sign regulations.

Mr. Thompson stated this ordinance is a zoning issue and the Town will need to hold a public hearing to vote on this ordinance, but tonight is more about discussion. Mr. Thompson stated the first amendment was adding definitions to better explain the terms and make them clearer. Mr. Thompson stated the other items changed were to take off the wording of “open” on flags for businesses to display because of the recent Delaware Supreme Court decision, but businesses are each allowed to have one (1) three foot by five foot (3’x5’) flag per business and only during the business’ hours of operation, as well as having an American flag displayed. Ms. Faden asked if the tall banner-type flags are prohibited. Ms. Botchie stated those types of banner flags are prohibited but the Town wanted to have this ordinance amended before the Town approached the businesses with such banner flags, telling them they’re prohibited.

Mayor Gordon asked if there is a law stating signs or flags cannot be put up if they are blocking a traffic sign or signal. Mr. Thompson stated yes. Ms. Faden asked if, under 155-43, item “M,” regarding signs prohibited in all districts, where it states, “Signs illuminated in any manner which may constitute a traffic hazard or be a nuisance,” could the item also include a sign that is not illuminated? Ms. Botchie stated item “G” in that same subsection states, “Signs in any location which obstruct a motorist’s view of traffic control signals.” Ms. Faden stated that item does address obstructing the view and the traffic hazard but doesn’t include being a nuisance, so could the Town combine items “G” and “M” together? Mr. Thompson stated item “M” is focusing on the illumination while item “G” is focused on location, so he could add the language to read, “Signs in any location which obstruct a motorist’s view of traffic control signals or constitutes a traffic hazard or is a nuisance.” Ms. Faden and Ms. Botchie stated they approved of that language.

Mr. Small stated he would like the Town to consider business owners to have a limit on their compliance to conformity to the Town's most recent sign ordinance. Ms. Botchie stated the amount of time for conformity was originally considered back when the Route 26 project was about to commence, but Ms. Botchie knows that a Town, such as Bethany Beach which has done this, can give businesses so much time to conform, and that is something Council can meet on. Mr. Thompson stated there is a Delaware Supreme Court case regarding whether towns have the ability to essentially have a "sunset" on people's pre-existing, non-conforming signs, so that can be a part of the research process for such an amendment.

Mr. Thompson stated the language under item "J" was changed to "Off-premises signs" and, with the final amendment in section 155-45, item "G," regarding a \$25 fine per sign, the Town is really trying to prohibit the "bandit signs," so Town Code & Building Administrator Eric Evans does not have to file a lawsuit against a person/business for each little bandit sign and drag the person into the entire court process. Mr. Thompson stated with this new amendment, Mr. Evans and the Town can simply apply a penalty fee per each bandit sign. Ms. Botchie stated the Town still may have to take the individual to court if they do not pay their fine(s).

Ms. Faden motioned to schedule the public hearing Council meeting for Ordinance 17-04. Mr. Small seconded the motion. Motion carried 4-0.

7. PROPERTY OWNERS/AUDIENCE COMMENTS AND QUESTIONS

Mayor Gordon stated two months ago, Mr. Carl Luft, the director of the Delaware League of Local Governments (DLLG), had sent out an announcement about nominations for Town Manager of the Year, so Mayor Gordon coordinated with Town Executive Assistant Matt Amerling and drafted a three-page letter of nomination to the DLLG, nominating Ms. Botchie, sending it out on July 29, 2016. Mayor Gordon stated on August 25, 2016, Mr. Amerling was notified by Mr. Luft, who informed Mr. Amerling that Ms. Botchie had won the DLLG's Town Manager of the Year for 2016. Mayor Gordon stated the nomination letter was also reviewed by former Mayor Gerry Hocker Jr., as well as by Mr. Thompson. Mayor Gordon further stated it is a great honor to be the best of the best coming from the DLLG, which represents fifty-seven (57) municipalities and three (3) counties, and congratulated Ms. Botchie. Ms. Botchie stated she did not know what to say but thank you to everyone and she loves her job.

Mr. Glen Faden, of Beach Plum Drive, asked what the \$35 fee ambulance service fee is for. Ms. Botchie stated currently there is an optional \$50 ambulance service fee for residents to pay to the MVFC so said resident may not be charged an ambulance fee if they are driven in one to a hospital. Ms. Botchie further stated this \$35 fee would serve the same benefit. Ms. Botchie stated the fee is not mandatory; if a property owner does not want to participate by paying the \$35, then the Town will not go after the property owner to collect it, but the property owner will be billed normally if an ambulance services them. Mr. Faden stated when an ambulance does come to service someone, the person's insurance usually pays the fee, so won't the property owner be getting double billed? Mayor Gordon stated how the program works is in the case that a property owner's insurance does not cover either the entire or a portion of the ambulance fee, then this coverage under the \$35 plan will be there to take care of that fee. Mayor Gordon stated another benefit to the \$35 subscription fee is if anyone is visiting your home and they need to be transported to a hospital via ambulance, then they would be covered under the \$35 fee and would

not be billed for the ambulance ride – a perk which is not included in the current \$50 subscription fee agreement. Mr. Faden asked what would happen if more than one ambulance shows up to the residence. Mayor Gordon stated the fire company will write it off. Ms. Botchie stated the fire company will only charge you for the one ambulance which transports you. Mr. Small stated the reasoning for the fee was to get more customers for the MVFC, and the money would go towards purchasing another ambulance and crew; and the Town's benefit would have the price lowered from \$50 to \$35, as well as having more ambulance crews available. Mr. Faden asked how the money from the fees will be used. Mr. Maneri stated there is no restriction except that the money will only go toward the EMS side of the fire company. Mr. Faden asked how the names of the subscribers will be kept track of. Ms. Botchie stated Mr. Watson and the EMS of the MVFC will be sending out the forms and keeping track, and they will be sending out the fee forms around May 1.

8. ANNOUNCEMENT OF NEXT MEETING – The next meeting will be the Town's workshop on September 27, 2016.

9. ADJOURNMENT

Mr. Maneri motioned to adjourn the meeting at 8:59 p.m. Ms. Faden seconded the motion. Motion carried 4-0.

Respectfully submitted,
Matt Amerling, Executive Assistant