

**TOWN OF SOUTH BETHANY
TOWN COUNCIL WORKSHOP MINUTES
JUNE 17, 2021
3:00 P.M.**

Call Meeting to Order

Mayor Saxton called the June 17, 2021, Town Council Budget Workshop Meeting to order at 3:00 p.m.

Announcement of Absences

In attendance were Mayor Saxton, Councilmembers, Dick Oliver, Randy Bartholomew, Derek Abbott, Tim Shaw, and Edie Dondero; Code Enforcement Officer Joe Hinks, Town Manager Maureen Hartman, and Administrative Specialist Janet Powell. Councilwoman Sue Callaway attended remotely. No virtual attendance.

Public Comment

Bob Coleman, 230 Carlisle Road, commented on today's agenda item regarding amending Chapter 42 Building Construction, concerns him because it is confusing and vague to property owners. Councilman Oliver stated he too is concerned of the definition of minor repairs, and it will be addressed.

Discussion and possible action to appoint Chair to the Communications & Public Relations Committee

Mayor Saxton appointed Edie Dondero as Chair of the Communications & Public Relations Committee. Motion by Councilman Oliver, seconded by Councilman Abbott to approve Mayor Saxton's appointment of Edie Dondero as Chair of the Communications & Public Relations Committee. Motion carried 7-0.

Review and discussion of possible amendments to Chapter 42, Building Construction regarding the application and issuance of a building permit for all repairs no matter how minor, to permit the use of certain fuel powered generators and air compressors, and classify violations of this chapter as civil penalties.

Code Enforcement Officer Joe Hinks stated that Chapter 42 Building Construction is not compatible with Chapter 145-46(C) which the Town is required to follow, or we violate FEMA regulations. The Charter and Code Committee proposed amending Chapter 42-5(B) to read: A building permit is required to make repairs, regardless of how minor, to any existing building or structure and amend (C) to read: A building permit is required for any construction, regardless of the value of the construction. Upon review, Council questioned what entails a minor repair and the logistics of providing a permit for every minor repair. Council proposed that Mr. Hinks approach DNREC about modifying the Town Chapter 145-46 and table amending Chapter 42. Council agreed that Charter and Code Committee continue to amend Chapter 42-12 as civil penalties. Councilwoman Dondero questioned Chapter 42.14.3 Periods of prohibited construction; the distinction between contractor and property owner regarding noise level, and whether the exceptions pertain to interior work vs exterior work in the definition of construction. Mayor Saxton asked Joe Hinks to review and respond back to Councilwoman Dondero at the next workshop meeting on July 29, 2021.

Review and discussion on possible amendments to Chapter 145, Zoning, Section 68, Building Permit, regarding the application and issuance of a building permit for construction, repairs, and maintenance activity, regardless of how minor

Council reviewed and decided to table the proposed amendment until Mr. Hinks' discussion with FEMA.

Discussion of the American Rescue Plan Act allocation for South Bethany

Mayor Saxton commended Councilman Bartholomew for reviewing the ARPA and summarizing key points as it pertains to South Bethany in a memo. Councilman Bartholomew listed the key points are Funding, Qualifications to Use of Funds, Potential Uses, Reporting and Process Recommendation. Based on Councilman Bartholomew's review and preliminary internal calculations, the Town does not qualify for a revenue loss for calendar year 2020. It is uncertain if the Town will qualify in the future years. He suggested until there is absolute confirmation that the funds are qualified; the Town does not spend the money. In the interim, Councilman Abbott suggested each councilmember submit their top three potential use of fund recommendations and send their recommendations to Town Manager Hartman to collate. Mayor Saxton agreed and suggested the recommendations be sent by mid-July. Council will review the comprehensive list at a future workshop meeting, then engage the Budget & Finance Committee and the South Bethany's CPA firm PKS to review the potential recommendations of qualifications and expenditures.

Discussion of bulkhead heights in areas of Town with nuisance flooding

Councilman Oliver stated the Town has nuisance flooding on several roads, such as Carlisle, York, and Bristol Road. He proposed the Town raise their canal-end bulkheads and allow the property owners to raise their bulkhead to the same level as the proposed Town bulkheads. He also proposed the Town place some sort of an abutment on the side of York Road to help keep the rising water off the road. Code Enforcement Officer stated that some of the canal-end bulkheads are privately owned, and some are owned by the Town. He also stated that the Town has a 2015 elevation map available. Councilman Oliver volunteered to start the project and work with Mr. Hinks to find out who owns the bulkheads and review the 2015 elevation map. Councilman Shaw suggested once the project has been reviewed by Council, it should be given to the Canal Water Quality committee.

Adjournment

Motion by Councilwoman Dondero, seconded by Councilmember Abbott, to adjourn the June 17, 2021, Town Council Workshop at 4:15 p.m. Motion carried 7-0.